NOTICE AND AGENDA
CITY COUNCIL
TUESDAY, JUNE 4, 2024, 7:00 P.M.
REGULAR CITY COUNCIL MEETING

Notice is hereby given that the City Council of the City of Glenn Heights, Texas will hold a Regular Called City Council Meeting on Tuesday, June 4, 2024, beginning at 7:00 P.M., in the City Hall, City Council Chambers, located at 1938-C South Hampton Road, Glenn Heights, Texas, 75154, as prescribed by Vernon's Texas Civil Statutes, Government Code Section §551.041, to consider and possibly take action on the following agenda items. Items do not have to be taken in the same order as shown in this meeting Notice and Agenda.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members, including the presiding officer, will be physically present at the location noted above on this Agenda.

This Notice and Meeting Agenda, and the Agenda Packet, are posted online at https://www.glennheightstx.gov/129/Agendas-Minutes.

This City Council Meeting will be live-streamed at https://www.glennheightstx.gov/229/City-Council-Meeting-Videos.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

The public is invited to address City Council on any topic. Speakers should complete a Public Comment form and submit it to the City Secretary prior to the beginning of the meeting. The Texas Open Meetings Act prohibits City Council from discussing or taking action on issues not posted on the agenda; however, the Mayor, City Manager or designee may provide specific factual information, recite an existing policy, or schedule a discussion of the issue for possible placement on a future agenda. Speakers are limited to a maximum of three (3) minutes.

PROCLAMATIONS

- Elder Abuse Awareness Month, June 2024
- Pride Month, June 2024
- Flag Day, June 14, 2024, and National Flag Week, June 9-15, 2024

EVENTS

- National League of Cities "NLC Centennial Roadshow: 100 Years, 100 Cities",

June 7, 2024, 8:00 A.M., Glenn Heights City Hall, 1938-C South Hampton Road

- Movies with the Mayor, June 8, 2024, 12:30 P.M., Glenn Heights Family Center, 1932 South Hampton Road

CONSENT AGENDA

Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, a Council Member, or the City Manager, and acted upon separately.

1. Discuss and take action to approve Ordinance O-07-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, regarding a request by Farrukh Azim, on behalf of Shamrock Angel, LLC amending the City of Glenn Heights Comprehensive Zoning Ordinance, Plan and Zoning Map, as previously amended, by amending the zoning of a 111.606± tract of land situated in the William Rawlings Survey, Abstract No. 1205 in the City of Glenn Heights, Dallas County, Texas, and being all of a tract of land described in Instrument No. 20070138404 and Instrument No. 201600127111, both of the official public records of Dallas County, Texas, generally located at the southeastern corner of the intersection of W. Bear Creek Road and S. Westmoreland Road in the City of Glenn Heights, Dallas County, Texas, the tract being more particularly described and depicted in Exhibit “A” hereto (the “property”), from Planned Development-6 (DP-6), Retail (R), Multi-Family (MF), and Single-Family Residential-1 (SF-1) to Planned Development-27 (PD-27) for Mixed Use Single-Family Residential (Base Single-Family Residential-3), Townhome and Multi-Family, providing for the approval of the development regulations for the property attached hereto as Exhibit “B”, and providing for approval of the concept plan attached hereto as Exhibit “C”. (Second Reading) (Parviz Pourazizian, Director of Planning and Development Services)

2. Discuss and take action to approve Ordinance O-08-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, regarding a request by Patrick McIntyre on behalf of Stewart Farms amending the zoning ordinance and map of the City of Glenn Heights, as heretofore amended, by granting a change in zoning for an approximate 96.9 acre parcel of land from Single Family Residential-3 (“SF-3”) to planned development (“PD-001-24”) to allow for the development of the Stewart Farms Subdivision allowing for residential uses with a base zoning of Single Family Residential-3 (“SF-3”) and Commercial uses (“C”), said property being comprised of two tracts located in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas and being more particularly described in Exhibit “1” attached hereto (the “property”), providing for the approval of the development regulations for the property attached hereto as Exhibit “2”, and providing for approval of the concept plan attached hereto as Exhibit “3”. (Second Reading) (Parviz Pourazizian, Director of Planning and Development Services)

3. Discuss and take action to approve Ordinance O-10-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, amending the Code of Ordinances by amending and updating the City’s Water Conservation and Drought Contingency Plan. (Second Reading) (Andrew Waits, Public Works Superintendent)

4. Discuss and take action to approve Ordinance O-11-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, regarding a request by DJ Jarratt on behalf of Rolke Greenhouse, amending the Comprehensive Zoning Ordinance, plan and map of the City of Glenn Heights, Texas, as amended by granting a change in zoning for an approximate 1.185-acre tract of land located at 1932 South Hampton Road, City of Glenn Heights, Dallas County, Texas, from Single Family Residential (SF-1) to Commercial (C). (Second Reading) (Parviz Pourazizian, Director of Planning and Development Services)

5. Discuss and take action to approve Ordinance O-12-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, regarding a request by Mike Collins on behalf of Bloomfield Homes, amending Ordinance O-06-23, to amend the Planned Development Zoning Regulations, and to amend the City's Comprehensive Zoning Ordinance, plan and map, for a 44.39 +/- acre tract of land generally located to the east of South Westmoreland Road, the south of the Meadow Springs Neighborhood, and to the west of South Hampton Road and Tope of the Hill Farms Neighborhood in the City of Glenn Heights, Dallas County, Texas and providing for an increase in density for residential lots from 75 to 80 and a revised concept plan with addition and revised project amenities. (Second Reading) (Parviz Pourazizian, Director of Planning and Development Services)

6. Discuss and take action to approve Resolution R-12-24, a Resolution of the City Council of the City of Glenn Heights, Texas, accepting and authorizing the City Manager to execute a Development Agreement with Shamrock Angel LLC, for cost participation in certain improvements to the intersection of West Bear Creek Road and South Westmoreland Road. (Parviz Pourazizian, Director of Planning and Development Services)

7. Discuss and take action to approve Resolution R-13-24, a Resolution of the City Council of the City of Glenn Heights, Texas, accepting and authorizing the City Manager to execute a Development Agreement with S5 Investment Holdings LLC Series B, a Texas Limited Liability Company, for cost participation in certain improvements to the intersection of West Bear Creek Road and South Westmoreland Road. (Parviz Pourazizian, Director of Planning and Development Services)

AGENDA

1. Discuss and take action to reappoint four (4) members to serve on the Citizens Police Advisory Committee. (Nick Bristow, Chief of Police)

2. Discuss and take action on Resolution R-14-24, a Resolution of the City Council of the City of Glenn Heights, Texas, authorizing and approving a new Rate Schedule (Schedule A) to the City's Solid Waste Collection Contract with Community Waste Disposal, LP, establishing new rates for solid waste collections within the City to be effective July 1, 2024. (Clifford Blackwell, City Manager)

3. Discuss and first reading of Ordinance O-13-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, amending the appropriate sections of the Code of Ordinances to adopt the 2021 International Building Code, the

2021 International Residential Code, the 2021 International Plumbing Code, the 2021 International Mechanical Code, the 2023 National Electrical Code, the 2021 International Energy Conservation Code, the 2021 International Fuel Gas Code, the 2021 International Existing Building Code, the 2021 International Swimming Pool And Spa Code, the 2021 International Fire Code, and the 2021 International Property Maintenance Code. (Parviz Pourazizian, Director of Planning and Development Services)

4. Discuss and first reading of Ordinance O-13-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, amending Article A12.000 ("Parks and Recreation") of Appendix A, the city's Master Fee Schedule, of the Code of Ordinances, City of Glenn Heights, Texas, to adopt new fees for Park Rentals, Special Events, Vendors' Fees and related items; providing that other fees not listed but now charged pursuant to other Ordinances and Resolutions shall remain in effect until transferred to the Master Fee Schedule by amendment; and providing that future amendments to the Master Fee Schedule may be effected by Ordinance or Resolution. (Clifford Blackwell, City Manager)

ADJOURNMENT

In accordance with the Americans with Disabilities Act, If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodations, please contact the City Secretary at least 48 hours in advance of the event at 972-223-1690 ext. 125 or email brandi.brown@glennheightstx.gov. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

I, Brandi Brown, City Secretary, do hereby certify that the above Meeting Notice and Agenda was posted in a place convenient to the Public at Glenn Heights City Hall, 1938 South Hampton Road, Glenn Heights, Texas by 5:00 P.M. on Friday, May 31, 2024.

Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to consult in closed session with its attorney at any time during the course of this meeting and to receive legal advice regarding any item listed on this agenda.

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Brandi Brown, City Secretary

PROCLAMATION

Office of the Mayor ▪ City of Glenn Heights

Elder Abuse Awareness Month, June 2024
World Elder Abuse Awareness Day, June 15, 2024

WHEREAS, it is more vital than ever that we ensure our older adults can age with the dignity, security, and appreciation that every person deserves. Honoring and respecting older residents is a matter of basic human dignity and justice – it is part of the character of our community. Yet every year, many people aged 60 and older experience abuse and neglect. On World Elder Abuse Awareness Day, we join the international community to raise awareness and help end elder abuse here at home and across the world; and

WHEREAS, elder abuse takes many forms, such as financial, emotional, physical, and sexual harm, including intimate partner violence in later life. It often comes in the form of neglect, abandonment, or exploitation. It is estimated that approximately 1 in 10 elderly Americans are abused annually. However, many of those who are abused suffer in silence, and many cases are never reported or brought to light. In the past few years, while the pandemic isolated all of us to different extents, it especially exacerbated the isolation felt by too many older adults. All of us have a role to play in preventing elder abuse and ensuring that our Nation's seniors are able to age with dignity; and

WHEREAS, as we continue to build a better community, we must ensure that we bring everyone along. We must be committed to safeguarding the rights of those who live in retirement and shared residential settings – and recognizing the critical work of caregivers. By ensuring a high quality of life and care for older residents, we can support our community and honor the dignity of every person.

For Elder Abuse Awareness Month and World Elder Abuse Awareness Day, let us recommit to delivering all older Americans the promise of a comfortable and peaceful life with dignity. Let us reaffirm our commitment to a world free from abuse and neglect and join the world in celebrating the essential role older adults play in our lives.

NOW, THEREFORE, I, Sonja A. Brown, Mayor of the City of Glenn Heights, Texas, do hereby proclaim June 2024 as **Elder Abuse Awareness Month**, and June 15, 2024, as **World Elder Abuse Awareness Day**. I encourage all residents to be diligent, work together to strengthen existing partnerships, and develop new opportunities to improve our community's prevention and response to elder abuse, neglect, and exploitation.

I also request that residents wear purple on June 15th to show they care about ending elder abuse and neglect, and solidarity with others around the world.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of June in the year of our

Lord two thousand twenty-four.

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Sonja A. Brown, Mayor
Glenn Heights, Dallas County, Texas

PROCLAMATION

Office of the Mayor ▪ City of Glenn Heights

Pride Month
June 2024

WHEREAS, the uprising at the Stonewall Inn in June of 1969 sparked a liberation movement – a call to action that continues to inspire us to live up to our Nation's promise of equality, liberty, and justice for all. Pride is a time to recall the trials the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) community has endured and to rejoice in the triumphs of trailblazing individuals who have bravely fought, and continue to fight, for full equality. This Pride Month, we recognize the valuable contributions of LGBTQ+ individuals across America, and we reaffirm our commitment to standing in solidarity with LGBTQ+ Americans in their ongoing struggle against discrimination and injustice; and

WHEREAS, the LGBTQ+ community in America has achieved remarkable progress since Stonewall. Historic Supreme Court rulings in recent years have struck down regressive laws, affirmed the right to marriage equality, and secured workplace protections for LGBTQ+ individuals in every State and Territory. The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act broadened the definition of hate crimes to include crimes motivated by sexual orientation or gender identity. Members of the LGBTQ+ community now serve in nearly every level of public office – in city halls and State capitals, Governors' mansions and the halls of the Congress; and

WHEREAS, for all of our progress, there are many States in which LGBTQ+ individuals still lack protections for fundamental rights and dignity in hospitals, schools, public accommodations, and other spaces. Our Nation continues to witness a tragic spike in violence against transgender women of color. LGBTQ+ individuals, especially youth who defy sex or gender norms, face bullying and harassment in educational settings and are at a disproportionate risk of self-harm and death by suicide; and

WHEREAS, during Pride Month, we recognize the resilience and determination of the many individuals who are fighting to live freely and authentically. In doing so, they are opening hearts and minds, and laying the foundation for a more just and equitable America. This Pride Month, we affirm our obligation to uphold the dignity of all people, dedicate ourselves to protecting the most vulnerable among us, and to ending violence and discrimination against the LGBTQ+ community. LGBTQ+ rights are human rights.

NOW, THEREFORE, I, Sonja A. Brown, Mayor of the City of Glenn Heights, Texas, do hereby proclaim June 2024 as **Pride Month**. I call upon all residents to recognize the achievements of the LGBTQ+ community and to celebrate the great diversity of the American people - we see you, we support you, and we are inspired by your courage to accept nothing less than full equality.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of June in the year of our Lord two thousand twenty-four.

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Sonja A. Brown, Mayor
Glenn Heights, Dallas County, Texas

PROCLAMATION

Office of the Mayor ▪ City of Glenn Heights

Flag Day, June 14, 2024
National Flag Week, June 9-15, 2024

WHEREAS, on Flag Day and during National Flag Week, we celebrate and honor our Nation's lasting emblem, our great American flag. Since the Second Continental Congress adopted its design more than 200 years ago, the Stars and Stripes has been a powerful symbol of freedom, hope, and opportunity. We fly Old Glory from government buildings, schools, City Halls, police and fire stations, stores, offices, and our front porches. Wherever Americans are gathered – sporting events, places of worship, parades, and rallies – our flag waves proudly, representing the enduring spirit of our country; and

WHEREAS, the American flag helps us to never forget the values of our Republic, and the valor of the men and women in uniform who have defended it. When we look at the red, white, and blue, we are filled with the same spirit of patriotism that stirred Francis Scott Key to pen the “Star Spangled Banner” in 1812. We are prompted to reflect with pride on the purity and righteousness of our cause – the same pride that swelled in the hearts of our soldiers as they took the beaches of Normandy, and as they raised the flag on Iwo Jima. And we are strengthened in our resolve to pursue justice and safeguard the rule of law, so that freedom can march on; and

WHEREAS, let us recommit ourselves to the principles upon which our country was founded. With grateful hearts, let us reflect upon the price of freedom, and the brave souls who gave their last full measure to preserve it. As we raise our flag, as we stand and salute or place our hands over our hearts, let us renew our sacred pledge that we will forever remain “one Nation under God, indivisible, with liberty and justice for all.”

NOW, THEREFORE, I, Sonja A. Brown, Mayor of the City of Glenn Heights, Texas, do hereby proclaim June 14, 2024, as **Flag Day**, and the week of June 9-15, 2024, as **National Flag Week**. I encourage all citizens to observe Flag Day and National Flag Week by displaying the flag, and to recognize this period as a time to honor America, and to celebrate our heritage in public gatherings and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of June in the year of our Lord two thousand twenty-four.

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Sonja A. Brown, Mayor
Glenn Heights, Dallas County, Texas

AGENDA SUMMARY SHEET
June 4, 2024

CONSENT AGENDA, ITEM 1

Discuss and take action to approve Ordinance O-07-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, regarding a request by Farrukh Azim, on behalf of Shamrock Angel, LLC amending the City of Glenn Heights Comprehensive Zoning Ordinance, Plan and Zoning Map, as previously amended, by amending the zoning of a 111.606± tract of land situated in the William Rawlings Survey, Abstract No. 1205 in the City of Glenn Heights, Dallas County, Texas, and being all of a tract of land described in Instrument No. 20070138404 and Instrument No. 201600127111, both of the official public records of Dallas County, Texas, generally located at the southeastern corner of the intersection of W. Bear Creek Road and S. Westmoreland Road in the City of Glenn Heights, Dallas County, Texas, the tract being more particularly described and depicted in Exhibit "A" hereto (the "property"), from Planned Development-6 (DP-6), Retail (R), Multi-Family (MF), and Single-Family Residential-1 (SF-1) to Planned Development-27 (PD-27) for Mixed Use Single-Family Residential (Base Single-Family Residential-3), Townhome and Multi-Family, providing for the approval of the development regulations for the property attached hereto as Exhibit "B", and providing for approval of the concept plan attached hereto as Exhibit "C". (Second Reading) (Parviz Pourazizian, Director of Planning and Development Services)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

ORDINANCE NO. O-07-24

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING THE CITY OF GLENN HEIGHTS COMPREHENSIVE ZONING ORDINANCE, PLAN AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE ZONING OF A 111.606± ACRES TRACT OF LAND SITUATED IN THE WILLIAM RAWLINGS SURVEY, ABSTRACT NO. 1205 IN THE CITY OF GLENN HEIGHTS, DALLAS COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 20070138404 AND INSTRUMENT NO. 201600127111 , BOTH OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS, GENERALLY LOCATED AT THE SOUTHEASTERN CORNER OF THE INTERSECTION OF W. BEAR CREEK ROAD AND S. WESTMORELAND ROAD IN THE CITY OF GLENN HEIGHTS, DALLAS COUNTY, TEXAS, THE TRACT BEING MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A" HERETO, FROM PLANNED DEVELOPMENT-6 (DP-6), RETAIL (R) MULTI-FAMILY (MF), AND SINGLE-FAMILY RESIDENTIAL-1 (SF-1) TO PLANNED DEVELOPMENT-27 (PD-27) FOR MIXED USE SINGLE-FAMILY RESIDENTIAL (BASE SINGLE-FAMILY RESIDENTIAL-3), TOWNHOME AND MULTI-FAMILY; ADOPTING DEVELOPMENT REGULATIONS THEREFOR, ADOPTING A CONCEPT PLAN THEREFOR; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS ($2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Glenn Heights, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Glenn Heights, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that the City of Glenn Heights Zoning Ordinance, Plan and Zoning Map of the City of Glenn Heights, Texas, as previously amended, should be further amended.

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

SECTION 1. <u>CHANGE OF ZONING CLASSIFICATION</u>

The City of Glenn Heights Comprehensive Zoning Ordinance (the "Zoning Ordinance"), Plan and the Zoning Map of the City of Glenn Heights, Texas, are hereby amended by amending the zoning designation and related regulations regarding use and development for a 111.606± acres tract of land situated in the William Rawlings Survey, Abstract No. 1205 in the City of Glenn Heights, Dallas County, Texas and being all of a tract of land described in Instrument No.

20070138404 and Instrument No. 201600127111**,** both of the Official Public Records of Dallas County, Texas and further being all of a tract of land described in Partition Deed Recorded in Volume 96079, Page 3070, D.R.D.C.T and being generally located at the southeastern corner of the intersection of W. Bear Creek Road and S. Westmoreland Road in the City of Glenn Heights, Dallas County, Texas, the tract being more particularly described and depicted in Exhibit "A" hereto (referred to herein as the "Property") from Planned Development-6 (PD-6), Retail (R), Multi-family (MF), and Single-Family Residential-1 (SF-1) to Planned Development-27 (PD-27) for mixed use single- family residential (base zoning Single-Family Residential-3) townhome and multi-family uses, subject to section 2 and 3 of this Ordinance.

SECTION 2. DEVELOPMENT AND LAND USE STANDARDS

The Property shall be developed and used in accordance with the provisions of all building regulations, zoning ordinances, subdivision regulations, and any other applicable ordinances of the City, except as may be specifically amended herein, including compliance with the Zoning Ordinance applicable to the noted base zonings of Single-Family Residential-3, Townhome and Multi-family, except where modified by the Planned Development District Regulations attached hereto and incorporated herein as Exhibit "B" ("Development Regulations"), the same being hereby approved and adopted.

SECTION 3. CONCEPT PLAN

The Concept Plan, Parks Plan, attached hereto and incorporated herein as Exhibit "C" (the "Concept Plan") is approved as a part of the Development Regulations for the Property and is made a part hereof for all purposes. Use and development of the Property shall be in conformance therewith.

SECTION 4. CONFLICTS.

To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Glenn Heights governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling. In the event there is an irreconcilable conflict within the text of this Ordinance, including any exhibits attached hereto, relating to the applicable standard to be enforced with respect to development of the Property, the strictest standard shall be controlling unless the City Council determines by approval of a motion or resolution that the less stringent standard is to apply.

SECTION 5. SEVERABILITY CLAUSE.

Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the City of Glenn Heights Zoning Ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the City of Glenn Heights Zoning Ordinance, as amended hereby, which shall remain in full force and effect.

SECTION 6 SAVINGS CLAUSE.

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the City of Glenn Heights Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 7. PENALTY.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars ($2,000) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective from and after the date of its passage and final publication in accordance with the Charter of the City of Glenn Heights and/or applicable state law and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS ON THIS THE 4TH DAY OF JUNE 2024.

APPROVED:

_____
Sonja A. Brown, Mayor

ATTEST:

_____
Brandi Brown, City Secretary

APPROVED AS TO FORM:

_____
David M. Berman, City Attorney

Exhibit "A"
[Survey and Legal Description of the Property]

METES AND BOUNDS DESCRIPTION:

BEING a tract of land situated in the William Rawlings Survey, Abstract No. 1205 in the City of Glenn Heights, Dallas County, Texas, and being all of a tract of land described in a deed to Your Home Builder, Inc. as recorded in Instrument No. 20070138404 of the Official Public Records of Dallas County, Texas, (O.P.R.D.C.T.) and being all of a tract of land described in a deed to Sudha Reddy Suravaram and Yojana Randi Sangu as recorded in Instrument No. 201600127111 (O.P.R.D.C.T.), and being all of that tract of land described in Probate to William Patrick Young and Mary Kathleen Young, as described in Partition Deed recorded in Volume 96079, Page 3070, D.R.D.C.T., and being more particularly described as follows;

BEGINNING at a point at the southwest corner of said Your Home Builder, Inc. tract and the northwest corner of a tract of land described in a deed to Rogerick R. Johnson and Manivone Visisombath as recorded in Instrument No. 202100044641, (O.P.R.D.C.T.) and on the east right-of-way line of S. Westmoreland Road (a variable width right-of-way), for a corer;

THENCE North 01 degree 30 minutes 58 seconds West along the west line of said Your Home Builder, Inc. tract and the east right-of-way line of said S. Westmoreland Road, a distance of 1,176.69 feet to a point at the northwest corner of said Your Home Builder, Inc. tract and the southwest corner of Lot 4R, Block A, of Everett L. Trees Addition an addition to the City of Glenn Heights, Dallas County, Texas as recorded in Volume 89247, Page 80, Map Records of Dallas County, Texas, for a corner;

THENCE North 89 degrees 49 minutes 20 seconds East along the south line of said Lot 4R, a distance of 243.75 feet to a point at the southeast corner of said Lot 4R, for a corner;

THENCE North 01 degree 14 minutes 36 seconds West, along the east line of said Lot 4R, a distance of 377.60 feet to a point at the northeast corner of said Lot 4R, and the southeast corner of said Lot 3, and the southwest corner of said Lot 5R1, for a corner;

THENCE North 89 degrees 54 minutes 44 seconds East, along the south line of said Lot 5R, a distance of 200.02 feet to a point at the southeast corner of said Lot 5R1 to a point for corner;

THENCE North 01 degree 14 minutes 36 seconds West, along the west line of said Your Home Builder, Inc. tract and the east line of said Lot 5R1, a distance of 658.91 feet to a point at the northwest corner of said Your Home Builder, Inc. tract and the northeast corner of said Lot 5R1 and on the south right-of-way line of W. Bear Creek Road (a variable width right-of-way), for a corner;

THENCE North 89 degrees 38 minutes 30 seconds East, along the north line of said Your Home Builder, Inc. tract, and the south right-of-way line of said W. Bear Creek Road, a distance of 238.34 feet to a point, for corner;

THENCE North 89 degrees 00 minutes 30 seconds East, along the north line of said Your Home Builder, Inc. tract, and the south right-of-way line of said W. Bear Creek Road, a distance of 168.04 feet to a point, for corner;

THENCE North 00 degrees 57 minutes 44 seconds West, a distance of 37.82 feet to a point on the south right-of-way line of said W. Bear Creek Road, for a corner;

THENCE North 88 degrees 59 minutes 02 seconds East, along the north line of said Your Home Builder, Inc. tract, and the south right-of-way line of said W. Bear Creek Road, a distance of 452.22 feet to a point at the northeast corner of said Your Home Builder, Inc. tract and the northwest corner of said Suravaram and Sangu tract, for corner;

THENCE North 89 degrees 08 minutes 00 seconds East, along the north line of said Suravaram and Sangu. tract, and the south right-of-way line of said W. Bear Creek Road, passing at a distance of 484.48 feet, a point at the northeast corner of said Suravaram and Sangu tract and the northwest corner of said Young tract, and continuing along the north line of said Young tract and said south right-of-way line, in all a total cumulative distance of 894.66 feet to the northeast corner of said Young tract;

THENCE 01 degrees 46 minutes 44 seconds East, along the east line of said Young tract, a distance of 2,601.93 feet to the southeast corner of same;

THENCE North 89 degrees 22 minutes 37 seconds West, along the south line of said Yong tract, passing at a distance of 408.21 feet the southwest corner of said Young tract and southeast corner of said Suravaram and Sangu tract, and continuing along the south line of said Suravaram and Sangu tract and on the north line of said Replat of Meadow Spings, Phase 2 addition, in all a total cumulative distance of 921.73 feet to a point at the southwest corner of said Suravaram and Sangu tract and the southeast line of a tract of land described in a deed to Eric O. Gomez and wife, Olivama Gomez, as recorded in Inst. No. 202000173147 (O.P.R.D.C.T.), for a corner;

THENCE North 01 degree 11 minutes 33 seconds west along the west line of said Suravaram and Sangu tract and the east lines of said Gomez tract and said Johnson and Visisombath tract, a distance of 320.75 feet to a point at the southeast corner of said Your Home Builder, Inc. tract and the northeast corner of said Johnson and Visisombath tract to a point for corner;

THENCE South 89 degrees 40 minutes 20 seconds West, along the south line of said Your Home Builder, Inc. tract and the north line of said Johnson and Visisombath tract a distance of 1,295.00 feet to the POINT OF BEGINNING AND CONTAINING 111.6060 acres and 4,861,556 square feet, more or less.

METES AND BOUNDS DESCRIPTION:

BEING a tract of land situated in the William Rawlings Survey, Abstract No. 1205 in the City of Glenn Heights, Dallas County, Texas, and being all of a tract of land described in a deed to Your Home Builder, Inc. as recorded in Instrument No. 20070138404 of the Official Public Records of Dallas County, Texas, (O.P.R.D.C.T.) and being all of a tract of land described in a deed to Sudha Reddy Suravaram and Yojana Randi Sangu as recorded in Instrument No. 201600127111 (O.P.R.D.C.T.), and being all of that tract of land described in Probate to William Patrick Young and Mary Kathleen Young, as described in Partition Deed recorded in Volume 96079, Page 3070, D.R.D.C.T., and being more particularly described as follows;

BEGINNING at a point at the southwest corner of said Your Home Builder, Inc. tract and the northwest corner of a tract of land described in a deed to Rogerick R. Johnson and Manivone Visisombath as recorded in Instrument No. 202100044641, (O.P.R.D.C.T.) and on the east right-of-way line of S. Westmoreland Road (a variable width right-of-way), for a corer;

THENCE North 01 degree 30 minutes 58 seconds West along the west line of said Your Home Builder, Inc. tract and the east right-of-way line of said S. Westmoreland Road, a distance of 1,176.69 feet to a point at the northwest corner of said Your Home Builder, Inc. tract and the southwest corner of Lot 4R, Block A, of Everett L. Trees Addition an addition to the City of Glenn Heights, Dallas County, Texas as recorded in Volume 89247, Page 80, Map Records of Dallas County, Texas, for a corner;

THENCE North 89 degrees 49 minutes 20 seconds East along the south line of said Lot 4R, a distance of 243.75 feet to a point at the southeast corner of said Lot 4R, for a corner;

THENCE North 01 degree 14 minutes 36 seconds West, along the east line of said Lot 4R, a distance of 377.80 feet to a point at the northeast corner of said Lot 4R, and the southeast corner of said Lot 3, and the southwest corner of said Lot 5R1, for a corner;

THENCE North 89 degrees 54 minutes 44 seconds East, along the south line of said Lot 5R, a distance of 200.02 feet to a point at the southeast corner of said Lot 5R1 to a point for corner;

THENCE North 01 degree 14 minutes 36 seconds West, along the west line of said Your Home Builder, Inc. tract and the east line of said Lot 5R1, a distance of 658.91 feet to a point at the northwest corner of said Your Home Builder, Inc. tract and the northeast corner of said Lot 5R1 and on the south right-of-way line of W. Bear Creek Road (a variable width right-of-way), for a corner;

THENCE North 89 degrees 38 minutes 30 seconds East, along the north line of said Your Home Builder, Inc. tract, and the south right-of-way line of said W. Bear Creek Road, a distance of 238.34 feet to a point, for corner;

THENCE North 89 degrees 00 minutes 30 seconds East, along the north line of said Your Home Builder, Inc. tract, and the south right-of-way line of said W. Bear Creek Road, a distance of 168.04 feet to a point, for corner;

THENCE North 00 degrees 57 minutes 44 seconds West, a distance of 37.82 feet to a point on the south right-of-way line of said W. Bear Creek Road, for a corner;

THENCE North 88 degrees 59 minutes 02 seconds East, along the north line of said Your Home Builder, Inc. tract, and the south right-of-way line of said W. Bear Creek Road, a distance of 452.22 feet to a point at the northeast corner of said Your Home Builder, Inc. tract and the northwest corner of said Suravaram and Sangu tract, for corner;

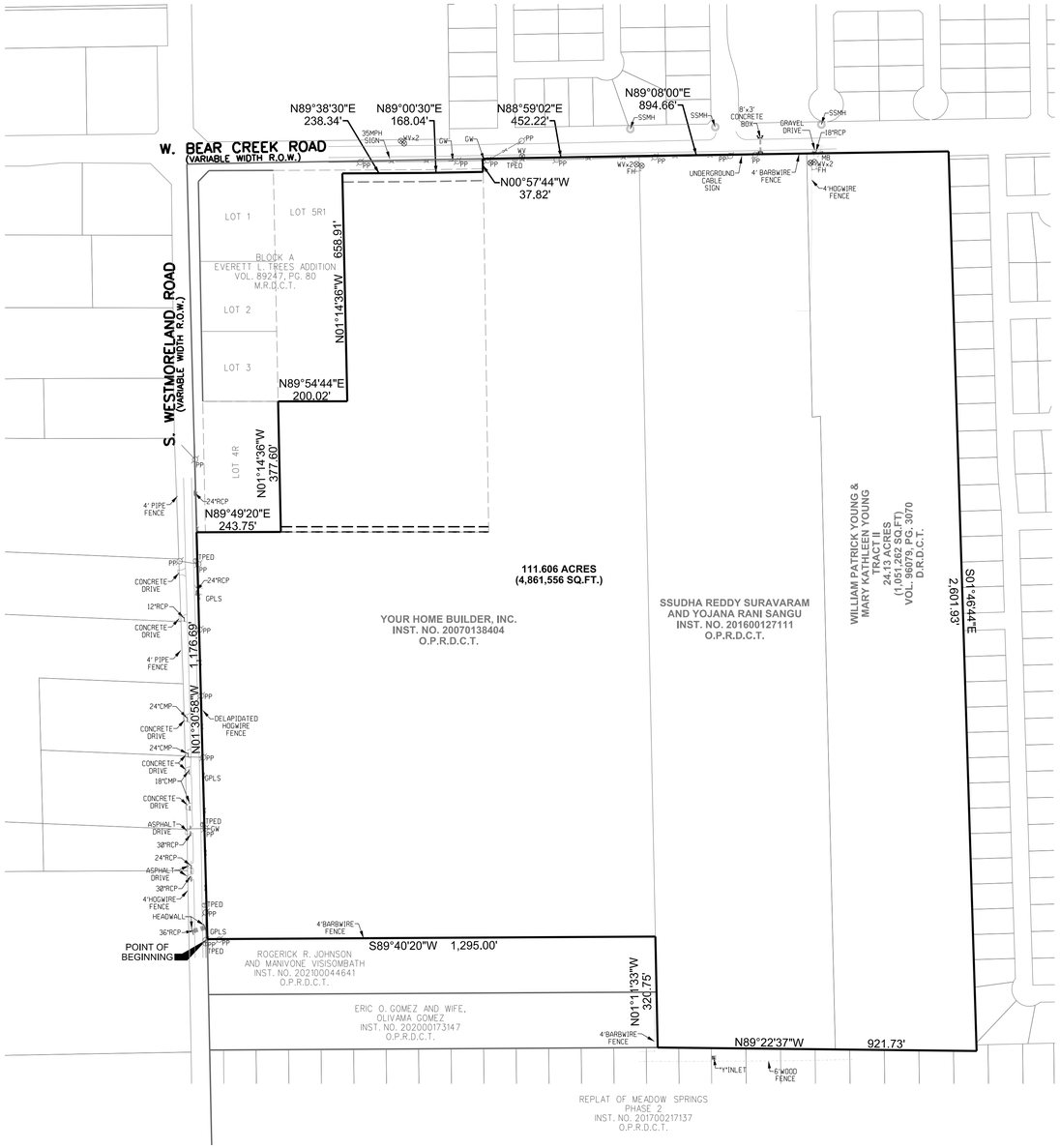
THENCE North 89 degrees 08 minutes 00 seconds East, along the north line of said Suravaram and Sangu. tract, and the south right-of-way line of said W. Bear Creek Road, passing at a distance of 484.48 feet, a point at the northeast corner of said Suravaram and Sangu tract and the northwest corner of said Young tract, and continuing along the north line of said Young tract and said south right-of-way line, in all a total cumulative distance of 894.66 feet to the northeast corner of said Young tract;

THENCE 01 degrees 46 minutes 44 seconds East, along the east line of said Young tract, a distance of 2,601.93 feet to the southeast corner of same;

THENCE North 89 degrees 22 minutes 37 seconds West, along the south line of said Yong tract, passing at a distance of 408.21 feet the southwest corner of said Young tract and southeast corner of said Suravaram and Sangu tract, and continuing along the south line of said Suravaram and Sangu tract and on the north line of said Replat of Meadow Spings, Phase 2 addition, in all a total cumulative distance of 921.73 feet to a point at the southwest corner of said Suravaram and Sangu tract and the southeast line of a tract of land described in a deed to Eric O. Gomez and wife, Olivama Gomez, as recorded in Inst. No. 202000173147 (O.P.R.D.C.T.), for a corner;

THENCE North 01 degree 11 minutes 33 seconds west along the west line of said Suravaram and Sangu tract and the east lines of said Gomez tract and said Johnson and Visisombath tract, a distance of 320.75 feet to a point at the southeast corner of said Your Home Builder, Inc. tract and the northeast corner of said Johnson and Visisombath tract to a point for corner;

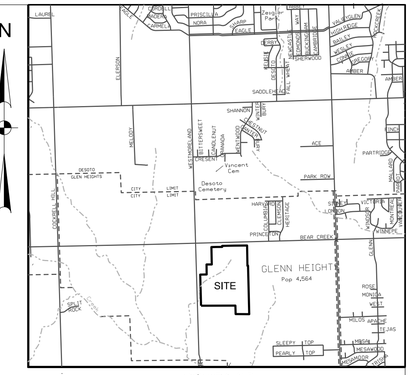
THENCE South 89 degrees 40 minutes 20 seconds West, along the south line of said Your Home Builder, Inc. tract and the north line of said Johnson and Visisombath tract a distance of 1,295.00 feet to the POINT OF BEGINNING AND CONTAINING 111.6060 acres and 4,861,556 square feet, more or less.



0' 100' 200' 400'

1" = 200'

N



VICINITY MAP
NOT TO SCALE

SURVEYOR'S NOTES:

1. The Basis of Bearings is the Texas Coordinate System of 1983, North Central Zone (4202).
2. The surveyor has relied upon that commitment for title insurance as prepared by ----------Title Insurance Company, GF Number ----------, having an effective date of ----------and an issued date of ----------, in the preparation of this survey. All plottable exceptions are shown hereon.
3. The property has access to S. Westmoreland Road and W. Bear Creek Road, both public rights-of-ways.
4. Based upon graphical plotting of FEMA Flood Insurance Rate Map Number 48113C0640K, dated July 07, 2001, the subject property lies partially within Zone X (unshaded), as shown hereon.
5. There is no evidence of wetlands.
6. There are no evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork.
7. There is no evidence of any gravesites, cemeteries, or burial grounds observed in the process of conducting the fieldwork.
8. There is no evidence of any certain division or party walls with respect to adjoining properties.
9. There are no encroachments or protrusions located by this survey.

LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
SQ.FT.	SQUARE FEET
VOL.	VOLUME
R.O.W.	RIGHT OF WAY
PG.	PAGE
INST.	INSTRUMENT
NO.	NUMBER
IRF	IRON ROD FOUND
SIR	SET 1/2" IRON ROD WITH YELLOW CAP STAMPED "GEONAV"
WV	WATER VALVE
PP	POWER POLE
STMH	STORM SEWER MANHOLE
TPED	TELEPHONE PEDESTAL
FH	FIRE HYDRANT
WM	WATER METER
SSMH	SANITARY SEWER MANHOLE
MB	MAIL BOX
GW	GUY WIRE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRIGATED METAL PIPE
GPLS	GAS PIPELINE SIGN

To: ----------;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1,2,3,4,6(a),6(b),7(a),8,9,10(a),11,13,16, and 19 of Table A thereof. The fieldwork was completed on ----------

Date of Plat or Map: June 17, 2021

Joel C. Howard
Texas RPLS No. 6267

PRELIMINARY
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
Release date: 06/17/2021
JOEL C. HOWARD
RPLS No. 6267
FOR REVIEW & COMMENT

ALTA/NSPS SURVEY
OF
111.606 ACRES
CITY OF GLENN HEIGHTS
DALLAS COUNTY, TEXAS
WILLIAM RAWLINGS SURVEY
ABSTRACT NO. 1205

DATED: 06/17/2021 DRAWN BY: LEO

GEONAV
SURVEYING • MAPPING • SCANNING
3410 MIDCOURT RD., STE 110; CARROLLTON, TEXAS 75006
SCALE: 1"=200' (972)243-2409 PROJECT #2214
TBPLS FIRM NO. 10194205

Exhibit "B"
[Development Regulations]

EXHIBIT: B

PLANNED DEVELOPMENT DISTRICT REGULATIONS

PARADISE ESTATES

SOUTHEAST CORNER OF BEAR CREEK ROAD & WESTMORELAND ROAD

CITY OF GLENN HEIGHTS, TEXAS

March 2024

DEVELOPMENT REGULATIONS

TABLE OF CONTENTS

PART 1. PURPOSE AND INTENT

PART 2. ALLOCATION OF LAND USES

PART 3. DISTRICT DESIGN & DEVELOPMENT STANDARDS

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PART 1. PURPOSE AND INTENT

1.01 General

This Planned Development district is meant to allow for a mixed-use development near the southeast corner of South Westmoreland Road and West Bear Creek Road. The 111.606-acre property would be comprised of Single Family Residential and Multifamily Residential with open spaces, parks, playgrounds, recreational ponds and amenities for the residents of the community. The intent of the PD is to establish a zoning district that would meet the diverse demands of the current and future housing market while establishing a community in which residents can live, work, and play.

Additionally, the development shall include a connected network of pedestrian sidewalks and trails and each residential district shall have amenities to be enjoyed by the residents of the community.

The location and orientation of parks and ponds and boundary of different phases may alter slightly if required to comply with City of Glenn Heights specifications, FEMA and USACE regulations and restrictions.

A minimum 4 ft. sidewalk will connect all parts within the area of an individual district or phase, whereas a 5 ft. wide trail system will interconnect all individual phases of development and connect in-between all green space and park area.

The existing Planned Development 6, consisting of approximately 68.00 acres, was established via Ordinance 347-85 in 1985 and amended via Ordinance 622-97 in 1997 to allow for the development of retail, multifamily residential, and single-family residential. However, this site has yet to develop according to the accompanying site plan.

Planned Development 27 would consist of approximately 111.606 acres divided into three districts.

District 1, the Townhome District, would be comprised of approximately 24.42 acres with MF/Multifamily Residential base zoning, for the development of one- and two-story single-family detached or attached Townhome units.

District 2, the Single-Family District, would be comprised of approximately 66.10 acres with base zoning SF-3/ Single-Family Residential-3 and Single Family-PH base zoning for the development of one- and two-story single-family detached units.

District 3, the MF, Multifamily Residential District, with base zoning MF/Multifamily Residential, would be comprised of approximately 21.08 acres with a Multifamily base zoning for the development of up to four-story modern style apartment buildings.

The standards and conditions in PD shall be applicable to all districts. The permitted uses within these districts be consistent with the Conceptual Zoning “Exhibit C”. Detail Construction plan layout & Plat are subject to meet City design Criteria, State regulations, FEMA (Federal Emergency Management Agency), USACE (United State Army Corps of Engineers) and proposed PD condition.

Approximately 21.6 acres of land is dedicated for open area, park, retention pond, park amenities etc. The developer pledges to install sidewalks and trails, kids’ playground, bench and trash cans, USPS decorative mailboxes, fountains on retention ponds and hydroseed all parks and open areas.

Developer to install masonry screen walls along property boundaries and wrought iron fences around ponds. Builder to install cedar wood fences with steel posts at individual dwelling units. Fences to be installed at the site are shown in the Exhibit "K". Material used for the boundary wall must be masonry with intermediate columns made with brick or stone. Precast concrete stamped masonry wall to be preferred material of choice as shown in the Exhibit "L"

1.02 Planned Development District

The Planned Development District, as defined under the City of Glenn Heights' Comprehensive Zoning Ordinance, is intended to accommodate single family, multifamily dwellings, open space, parks, and ponds. Except as set forth in these regulations, these zoning districts will be planned and developed in accordance with planned development provisions of the City of Glenn Heights' Comprehensive Zoning Ordinance including, without limitation, and City's Subdivision Regulations contained in Chapter 10.

PART 2. ALLOCATION OF LAND USES

2.01 Table 1 – Approximate Land Use Allocation

Proposed Land Use District	Base Zoning District	Total Approximate Land Area (Including open space)	Approximate Open / Park Space (Percent of Land)	Open / Park Space (Min. Required)	Max. Required Density. (units/ acre)
District-1 Townhome District PH-1 Development	MF/Multifamily Residential	24.42 acres (21.88%)	3.65acres (15.31%)	15%	12
District-2 Single-Family PH-2 Development	SF-3/ Single-Family Residential-3	66.10 acres (59.25%)	11.63 acres (17.8%)	15%	8
District-3 Multifamily Residential District	MF/ Multifamily Residential	21.08 acres (18.87%)	7.90 acres (37.47%)	15%	30
	Total	**111.606 acres (100%)**	**23.18 acres (20.77%)**	-	-

[Future ROW dedication by Plat on Westmoreland Road and Bear Creek Road are excluded from total sq.ft. of area.]

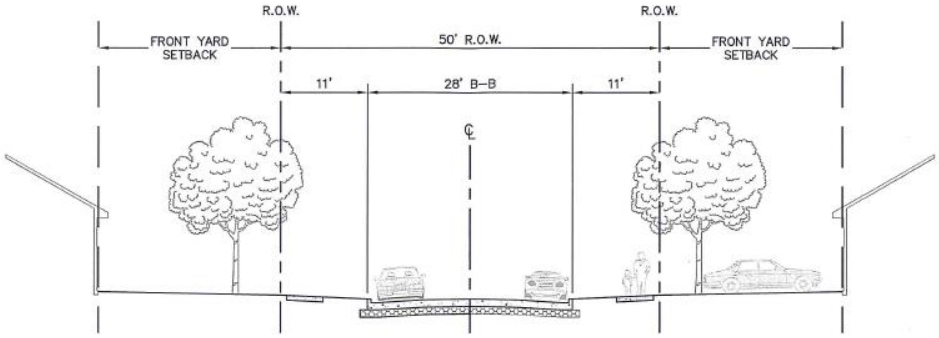
This Planned Development District shall not affect any regulations within the Code of Ordinances, except as specifically provided herein. All regulations not specifically defined in this PD will be subject to the City of Glenn Heights Code of Ordinances.

PART 3. DISTRICT DESIGN & DEVELOPMENT STANDARDS

3.01 General Development Standards

A. Development Phasing & Building Finals – For all residential phases of this Planned Development, the developer shall have completed construction and installation of the community amenities and park space of the district prior to the issuance of no more than fifty percent (50%) certificate of occupancy.

B. Streets and Roadways – To promote a safe, sustainable, and walkable community, all public streets within the Planned Development shall be concrete and designed and constructed in accordance with the City Code and City of Glenn Heights' Comprehensive Zoning Ordinance in effect at the time of approval of the Final Plat by the City Council. Typical residential street section.



TYPICAL RESIDENTIAL STREET SECTION
NTS

E. Public Utilities – All public utilities in this Planned Development must be installed by the Developer in accordance with the City Code and City of Glenn Heights' Comprehensive Zoning Ordinance in effect at the time of approval of the Final Plat by the City Council.

3.02 District 1 –Townhome District.

The townhome district shall provide for the development of one- and two-story, single-family attached or detached units with zero-lot-line. The standards and conditions within this section shall be applicable to this district. The permitted uses within this district be consistent with the Concept Plan as well as the Design Standards herein described for this district. Detail Construction plan layout & Plat are subject to meet City design Criteria, State & Federal regulations, and proposed PD condition.

Table 2 –Townhome District -Base Zoning MF/ Multifamily Residential

Minimum Lot Requirements	
Lot Area	2,200 sf.
Lot Width	30’
Lot Depth	80’
Minimum Dwelling Unit Requirements	
1 Bedroom Unit	1,100 sf.
2 Bedroom Unit	1,200 sf.
3 Bedroom Unit	1,300 sf.
Minimum Setback Requirements	
Front Yard Setback	20’
Side Yard Setback	0 ft/ 10 ft between clusters of Townhomes
Side Yard Adjacent to Street	5’
Rear Yard Setback	10’
Lot Coverage for Main Structure	70%
Maximum Building Requirements	
Main Structure Height	35’
Max. Density/ Acre	12
Minimum Landscaping Requirements	
Trees	One 3” caliper tree in front yard One 3” caliper tree in rear yard
Sod	Front, side, & rear yard

A. Special Conditions – in addition to the district development standards in Table 2, the development of this district shall be subject to the following special conditions:

i. The total land area of this district shall not exceed 30% of the total land area for this PD.
ii. All buildings within this district shall contain no more than 8 single-family attached units.
iii. All units may be front entry.
iv. The number of lots within this district shall not exceed 230.
v. The residential density within this district shall not exceed 12 units per acre.
vi. At minimum, the park and open spaces within this district contain a gazebo, a Children’s playground, two park benches, and a pedestrian walking trail. (See detail Exhibits D to I)

B. District Development Conditions – The desired land design requirements for this district are achieved in accordance with the attached “Exhibit C” and the following criteria:

i. Final Park layout/equipment to be agreed upon between City and Developer before final approval of the subdivision plat for the development. The developer commits to complete all onsite park and amenities upon 50% occupancy reached.

ii. The entry feature for this district shall contain a masonry monument sign designed to meet the City's Development Regulations. The final design and placement of the monument sign shall be agreed upon between the City and Developer prior to construction. (See Exhibit D)

iii. A continuous four (4') wide concrete pedestrian sidewalk shall be located on both sides of the street, in the right-of-way of every internal street within this district. Sidewalks meant to be adjacent to residential lots may be constructed by the builder.

C. Residential Design Standards – The desired architectural standards for this district are achieved in accordance with the following criteria:

i. To avoid large blank facades, variations in the elevation of residential facades facing a public street shall be provided in both the vertical and horizontal dimensions. At least twenty (20%) percent of the façade shall be offset a minimum of 1 foot (1') either protruding from or recessed back from the remainder of the façade.

ii. All townhome units shall have a minimum roof pitch of 8:12 on primary pitches with articulation, dormers or a combination of hip and gable roofing.

iii. A minimum of two covered parking spaces shall be required for every residential unit within this district.

iv. Garage doors may be located on the primary street elevation (front entry) of the single-family attached residential unit. Each garage shall be a minimum 18' wide and 20' deep.

v. Example elevation: **See Exhibit D-1 Townhomes**

D. Landscaping and Screening – Each residential lot within this district shall comply with the following criteria:

i. Side and rear yard fences shall be permitted to a height of six feet (6') maximum and constructed of wood with metal posts and rails to the inside.

ii. Pressure treated wood is prohibited.

iii. Decorative iron fences shall be constructed on lots with residential dwellings along the property line adjacent to public open space and shall be minimum four feet (4') in height.

iv. Each residential lot shall have a sodded front, side, and rear yard with a minimum of one tree planted in the front yard and one tree planted in the rear yard. Each tree shall be a minimum of 3" caliper.

v. All landscaped areas must be kept in a healthy and growing condition. Any plant materials that die during a time of year where it is not feasible to replant shall be replaced as soon as possible by the homeowner.

vi. Each residential lot shall have an automated, subsurface irrigation system.

vii. All residential structures must be designed such that no mechanical equipment (HVAC, etc.) except vents and stacks, are visible from the public right-of-way, whether the equipment is located on the ground, exterior walls, or the roof.

E. Maintenance of Parks, Open Spaces, & Common Areas – The developer shall establish a Homeowners' Association to carry out the following responsibilities within all parks, open spaces, and common areas:

i. Clean up and litter removal.
ii. Landscaping installation, care, and maintenance.
iii. Trimming, cleaning, and removal of unwanted vegetation.
iv. Maintain benches, concrete trail, entry features, and any other installed improvements.
v. The payment of electricity used for the lighting of any entry features and amenities.

F. Developer Responsibility – During the development of this district, the developer shall be responsible for the following:

i. Serving as the City's point of contact for all concerns regarding the maintenance of the parks, open spaces, and common areas until at least all lots are occupied.
ii. Installation of irrigation systems, benches, concrete trails, entry features, subdivision screening wall, playground equipment, and any other improvements.

3.03 District 2 – Single-Family District

The Single-Family district shall provide for the development of one- and two-story, single-family detached homes. The standards and conditions within this section shall be applicable to this district. The permitted uses within this district be consistent with the Zoning "Exhibit C" as well as the Design Standards herein described for this district for two different sizes of lots in table 3 & table 4. Detail Construction plan layout & Plat are subject to meet City design Criteria, State & Federal regulations, and proposed PD condition.

Table 3 – Single-Family District Development Standards -Base Zoning SF-3 /Single-Family Residential-3 (Minimum 9,000-square-foot lots)

Minimum Lot Requirements	
Lot Area	9,000 sf.
Average Lot Width [Except at Cul-De-Sac or Turn]	60'
Lot Depth [Except at Cul-De-Sac or Turn]	120'
Minimum Dwelling Unit Requirements	
Minimum Dwelling Unit Size	1,800 sf.
Minimum Setback Requirements	
Front Yard Setback	20'

Side Yard Setback	5’
Side Yard Setback Adjacent to Street	5’
Rear Yard Setback	10’
Maximum Building Requirements	
Main Structure Height	35’
Accessory Structure Height	15’
Lot Coverage for Main Structure	50%
Minimum Landscaping Requirements	
Trees	One 3” caliper tree in front yard Two 3” caliper tree in rear yard
Sod	Front, side, & rear yard

Table 4 – Single-Family District Development Standards -Base Zoning SF-3 /Single-Family Residential-3 (Minimum 5,500-square-foot lots)

Minimum Lot Requirements	
Lot Area	5,500 sf.
Average Lot Width [Except at Cul-De-Sac or Turn]	50’
Lot Depth [Except at Cul-De-Sac or Turn]	100’
Minimum Dwelling Unit Requirements	
Minimum Dwelling Unit Size	1,500 sf.
Minimum Setback Requirements	
Front Yard Setback	20’
Side Yard Setback	5’
Side Yard Setback Adjacent to Street	5’
Rear Yard Setback	10’
Maximum Building Requirements	
Main Structure Height	35’
Accessory Structure Height	15’
Lot Coverage for Main Structure	60%
Minimum Landscaping Requirements	
Trees	One 3” caliper tree in front yard Two 3” caliper tree in rear yard
Sod	Front, side, & rear yard

A. Special Conditions – in addition to the district development standards in Table 3 and Table 4, the development of this district shall be subject to the following special conditions:

   i. The total land area of this district shall not exceed 65% of the total land area for this PD.
   ii. All units are front entry.
   iii. The residential density within this district shall not exceed eight units per acre.

iv. At minimum, the park and open spaces within this district shall contain playground equipment, six park benches, 4 ft sidewalks and 5 ft pedestrian walking trail. (See detail Exhibits D to I)

B. District Development Conditions– The desired land design requirements for this district are achieved in accordance with Zoning "Exhibit C" and the following criteria:

i. Final Park layout/equipment to be agreed upon between City and Developer before final approval of the subdivision plat for the development.
The developer commits to complete all onsite park and amenities upon 50% occupancy reached.

ii. The entry feature for this district shall contain a masonry monument sign designed to meet the City's Development Regulations. The final design and placement of the monument sign shall be agreed upon between City and Developer prior to construction. (See Exhibit D)

iii. A continuous four (4') wide concrete pedestrian sidewalk shall be located on both sides of the street, in the right-of-way of every internal street within this district. Sidewalks meant to be adjacent to residential lots to be constructed by the builder.

C. Residential Design Standards – The desired architectural standards for this district are achieved in accordance with the following criteria:

i. Building material for Single Family Façade to meet min. City Standard specification or 50% of Front facing façade of all single-family dwelling must be constructed of brick, Fiber Cement, stucco, or stone veneer, whichever is greater.

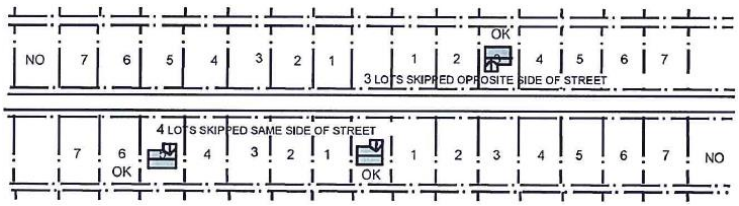
ii. To avoid large blank facades, variations in the elevation of residential facades facing a public street shall be provided in both the vertical and horizontal dimensions. At least twenty (20%) percent of the façade shall be offset a minimum of 1 foot (1') either protruding from or recessed back from the remainder of the façade.

iii. All single-family units shall have a minimum roof pitch of 8:12 on primary pitches with articulation, dormers or a combination of hip and gable roofing.

iv. A minimum two covered off-street parking spaces shall be required for each residential unit within this district.

v. Garage doors may be located on the primary street elevation (front entry) of the single-family attached residential unit. Each garage shall be a minimum 18' wide and 20' deep.

vi. A minimum of four (4) platted residential lots must be skipped on the same side and three (3) lots must be skipped on the opposite side of a street before rebuilding the same single-family residential unit with an identical (or nearly identical) street elevation design. The same floor plan and elevation shall not be repeated on neighboring, side by side, lots or directly across the street.



vii. Example single-family home elevation: **See also Exhibit D-2 Single-Family**

D. Landscaping and Screening – Each residential lot within this district shall comply with the following criteria:

a. Side and rear yard fences shall be permitted to a height of six feet (6') maximum and constructed of wood with metal posts and rails to the inside.
b. Pressure treated wood is prohibited.
c. Decorative iron fences shall be constructed on lots with residential dwellings along the property line adjacent to public open space and shall be minimum four feet (4') in height.
d. Each residential lot shall have sodded front, side, and rear yard with a minimum of one tree planted in the front yard and two trees planted in the rear yard. Each tree shall be a minimum 3" caliper.

e. All landscaped areas must be kept in a healthy and growing condition. Any plant materials that die during a time of year where is it not feasible to replant shall be replaced as soon as possible by the homeowner.
f. Each residential lot shall have an automated, subsurface irrigation system.
g. All residential structures must be designed such that no mechanical equipment (HVAC, etc.) except vents and stacks, are visible from the public right-of-way, whether the equipment is located on the ground, exterior walls, or the roof.

E. Maintenance of Parks, Open Spaces, & Common Areas – The developer shall establish a Homeowners' Association to carry out the following responsibilities within all parks, open spaces, and common areas:

vi. Clean up and litter removal.
vii. Landscaping installation, care, and maintenance.
viii. Trimming, cleaning, and removal of unwanted vegetation.
ix. Maintain benches, concrete trail, entry features, and any other installed improvements.
x. The payment of electricity used for the lighting of any entry features and amenities.

F. Developer Responsibility – During the development of this district, the developer shall be responsible for the following:

iii. Serving as the City's point of contact for all concerns regarding the maintenance of the parks, open spaces, and common areas until at least 50% of units are sold and occupied.
iv. Installation of irrigation systems, benches, concrete trails, entry features, subdivision screening wall, playground equipment, and any other improvements.

3.04 District 3 – Multifamily District (Base Zoning: MF/ Multifamily Residential)

The Multifamily District shall provide for the development of up to four-story multifamily buildings. The standards and conditions within this section be applicable to this district.
The permitted uses within this district be consistent with the Zoning "Exhibit C" as well as the Design Standards herein described for this district. Detail Construction plan layout, building layout & Plat are subject to meet City design Criteria, State & Federal regulations and proposed PD condition.

Table 5 – Multifamily District Development Standards – Base Zoning MF/ Multifamily Residential

Minimum Dwelling Unit Requirements	
Studio	500 sf.
1 Bedroom Unit	800 sf.
2 Bedroom Unit	950 sf.
3 Bedroom Unit	1,100 sf.
Minimum Building Setbacks	
Front Yard Setback	40'
Side	30'
Rear Yard Setback	40'
Lot Coverage for Main Structures	70%
Maximum Building Requirements	
Main Structure Height	3/4 stories
Accessory Structure Height	1 story
Building Separation	35'

A. Special Conditions – in addition to the district development standards in Table 5, the development of this district shall be subject to the following special conditions:

i. The total land area of this district shall not exceed 25% of the total land area for this PD excluding park, green area, and pond under this zoning district.
ii. Each Building within this district shall contain no more than 140 residential dwelling units.
iii. The number of residential units within this district shall not exceed 450.
iv. The residential density within this district shall not exceed 30 units per acre.

B. District Development Conditions – The desired land design requirements for this district are achieved in accordance with Zoning "Exhibit C" and the following criteria:

i. Final Park layout/equipment to be agreed upon between City and Developer before final approval of the subdivision plat for the development. Developer commits to complete all onsite park and amenities upon 50% occupancy reached including the Amenity Center Building and accessories.
ii. The entry feature for this district shall contain a masonry monument sign designed to meet the City's Development Regulations. The final design and placement of

the monument sign shall be agreed upon between the City and developer prior to construction.

C. Residential Design Standards – The desired architectural standards for this district are achieved in accordance with the following criteria:

i. To avoid large blank facades, variations in the elevation of the apartment building facades shall be provided in both the vertical and horizontal dimensions. At least twenty (20%) percent of the façade shall be offset a minimum of 1 foot (1') either protruding from or recessed back from the remainder of the façade.

ii. Building material for Single Multifamily Façade to meet min. City Standard specification or 40%-50% of Front facing façade of all single-family dwelling must be constructed of brick, Fiber Cement, stucco, or stone veneer, whichever is greater.

iii. City of Glenn heights general development code to be followed for parking design. Required parking spaces for this district shall be as follows:

a. 2 spaces per 1-bedroom unit
b. 2 spaces per 2-bedroom unit
c. 2.5 spaces per 3-bedroom unit
d. Guest parking for every 5 units.
e. Following is the list for approximate parking numbers for general multifamily units included with PD for reference purposes.

Building Type-D/ No. Of units # 3				
	1 BR	2BR	3BR	Total
Units	32	18	2	52
Parking	64	36	5	105
Parking for all units				315

Building Type-B/ No. of units # 4				
	1 BR	2BR	3BR	Total
Units	23	12	4	39
Parking	46	24	10	80
Parking for all units				320

Building Type-A/ No. of units # 2				
	1 BR	2BR	3BR	Total
Units	14	8	4	26
Parking	28	16	10	54
Parking for all units				108

Parking for all Buildings	
Guest Parking	74
Total parking	74

Parking provided	867
Indoor parking	79
Outdoor Parking	788

iv. Example elevation: **See Exhibit D-3 Multifamily**

D. Landscaping and Screening – Each residential lot within this district shall comply with the following criteria:

a. The Multifamily District shall have a wrought iron fence surrounding the district with a security gate at each point of ingress/egress. No masonry wall shall be required adjacent to residential. Instead, the multifamily developers shall provide a combination of green wall areas of suitable vegetation and wood fence to mitigate site lines.
b. The final landscape plan shall be reviewed by City Staff for approval.
c. An irrigation system must be provided with all landscape plans. Irrigation plans shall comply with the design standards set forth by the Texas Commission on Environmental Quality.
d. All landscaped areas must be kept in a healthy and growing condition. Any plant materials that die during a time of year where it is not feasible to replant shall be replaced as soon as possible by the homeowner with appropriate party.
e. All residential structures must be designed such that no mechanical equipment (HVAC, etc.) except vents and stacks, are visible from the public right-of-way, whether the equipment is located on the ground, exterior walls, or the roof.

E. Dumpster Facilities – the Dumpster facilities within this district shall meet the following criteria:

a. The Multifamily district shall have Dumpster containers located generally around the site for easy access from each residential building.
b. All trash/recycling receptacles must be screened on at least three sides with masonry wall.
c. Dumpster to be oriented such that the open side is not visible from the public right-of-way including S. Westmoreland and Bear Creek Road.

F. Parks, Open Spaces, and Amenities – The Multifamily District shall have an amenity center that is to be operated and maintained by the Owner/Property Manager of the Apartment Complex. The amenity center shall include:

a. Amenity buildings are no smaller than 1,600 square feet.
b. Furnished fitness center.
c. Pedestrian sidewalks & walking trails.
d. Swimming pool.
e. Indoor restrooms.
f. Children's playroom.
g. Children's playground.
h. Community meeting room.

vii. At minimum, the park and open spaces within this district shall contain kids' playground, two park benches, 4 ft sidewalks and 5 ft pedestrian walking trail. In addition, a minimum of 3 grills and a minimum of 2 picnic tables to be installed. This area, being the center of all development to be accessible from all phases through a 5' trail system. (See detail Exhibits D to I)

G. Maintenance of Parks, Open Spaces, & Common Areas – The developer shall establish a Homeowners' Association to carry out the following responsibilities within all parks, open spaces, and common areas:

i. Clean up and litter removal.
ii. Landscaping installation, care, and maintenance.
iii. Trimming, cleaning, and removal of unwanted vegetation.
iv. Maintain benches, concrete trail, entry features, and any other installed improvements.
v. The payment of electricity used for the lighting of any entry features and amenities.

H. Developer Responsibility – During the development of this district, the developer shall be responsible for the following:

v. Serving as the City's point of contact for all concerns regarding the maintenance of the parks, open spaces, and common areas until at least 50% of units are sold and occupied.
vi. Installation of irrigation systems, benches, concrete trails, entry features, subdivision screening wall, playground equipment, and any other improvements.

PART 5. RELATIONSHIP TO CITY OF GLENN HEIGHTS COMPREHENSIVE ZONING ORDINANCE

In the event of a conflict or inconsistent between the written provisions of the enabling Ordinance of these Regulations and the provisions of the City of Glenn Heights' Comprehensive Zoning Ordinance, the provisions and intent of the enabling Ordinance and these Regulations shall control. These Regulations, together with the applicable provisions of the enabling Ordinance and the applicable provisions of the City of Glenn Heights' Comprehensive Zoning Ordinance and Subdivision Regulations, shall constitute all the development standards that are applicable to the Subdivision.

The permitted uses within these districts be consistent with the Zoning "Exhibit C-Concept Plan" as well as the Design Standards herein described for this district. Detail Construction plan layout, building layout & Plat are subject to meet City design Criteria, State & Federal regulations, and proposed PD condition. More detail design of buildings including material list required to be submitted with Building Permit application which to meet or exceed the City requirements. The final product design, material choices depends on the Builder and their standards which to exceed or match the City requirements.

EXHIBIT D-1: Townhomes

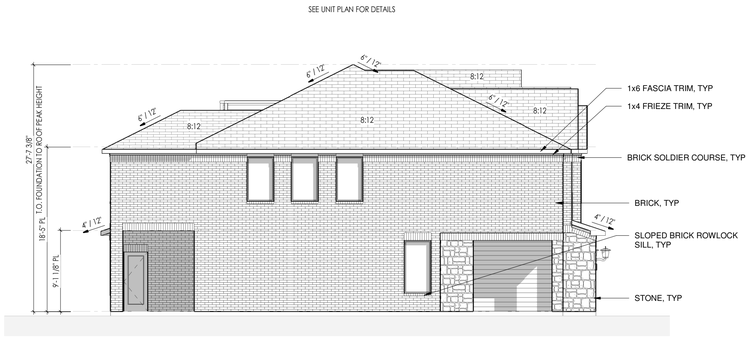
(For Illustration purposes only/Actual product may vary depending on The Builder, their product, and requirements per City Building Ordinance.

EXHIBIT D-1: Townhomes

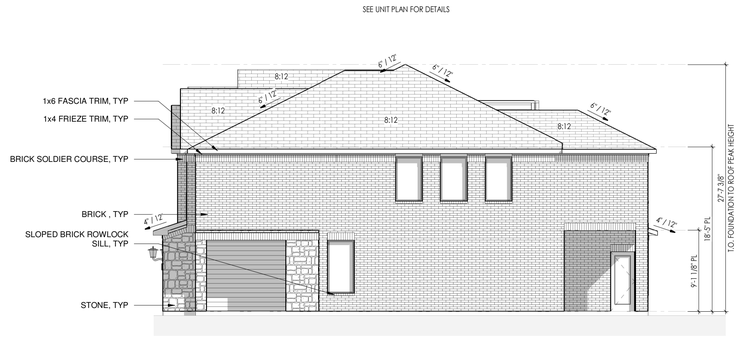
(For Illustration purposes only/Actual product may vary depending on The Builder, their product, and requirements per City Building Ordinance.

ROOF NOTES:

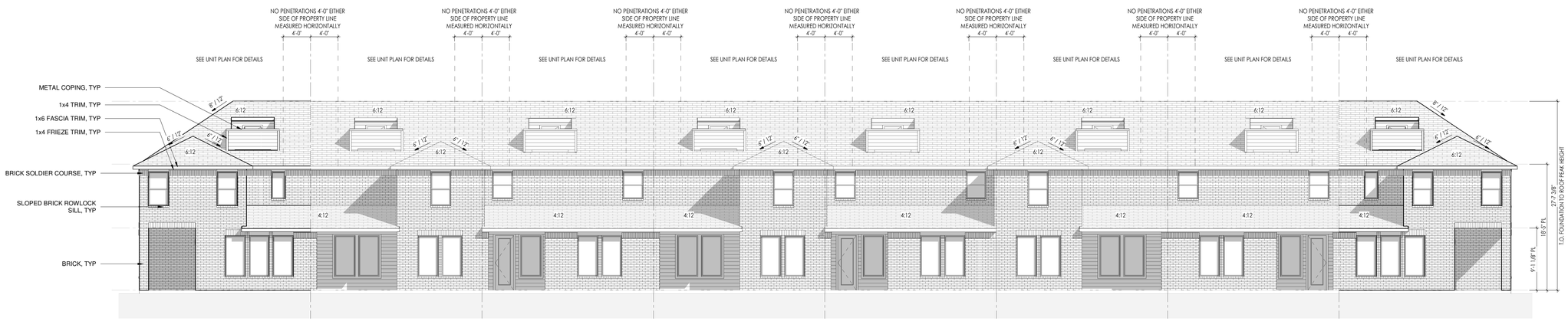
UNIT FRAMING SHALL BE STRUCTURALLY INDEPENDENT AT PROPERTY LINES AND CANNOT HAVE HIP/VALLEYS INTERSECTING THE FIRE WALLS. REFER TO DETAIL 3/A60.02



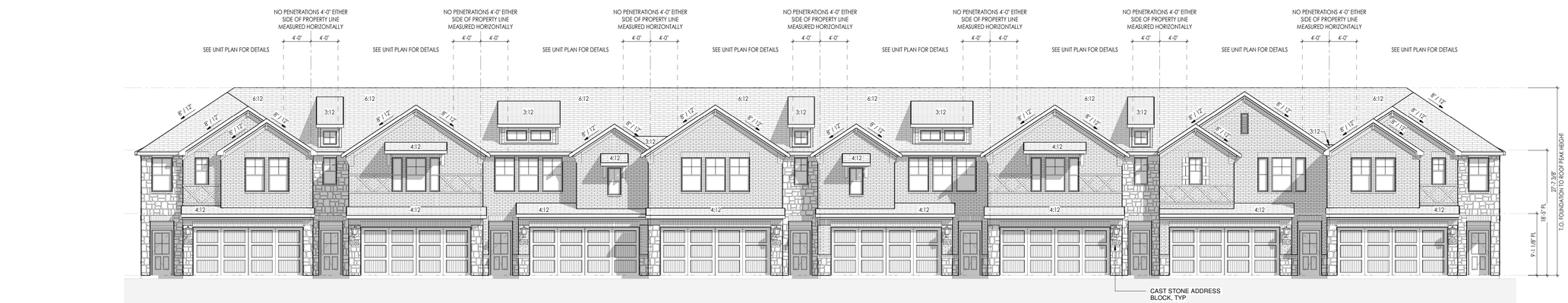
4 LEFT ELEVATION
1/8" = 1'-0"



3 RIGHT ELEVATION
1/8" = 1'-0"



2 REAR ELEVATION
1/8" = 1'-0"



1 FRONT ELEVATION
1/8" = 1'-0"

STRAND
10003 Technology Blvd. West
Dallas, TX. 75220
972-620-8204

BUILDER DR Horton DFW (East)
SUBD. Hurricane Creek North
LOT BLOCK
ADDRESS
CITY Anna, TX
PLAN 1547, 1675, 1965 TOWNHOMES
VERSION 1

EXTERIOR ELEVATIONS

A20.04

STRAND 2308533

The use of these plans and specifications shall be restricted to the site for which they were prepared. Any reproduction or distribution is expressly limited to such use. Any other reproduction, resale or disclosure by any method, in whole or in part, is prohibited. These drawings and specifications contain proprietary information and are the property of STRAND SYSTEMS ENGINEERING INC.

3/17/2023 4:26:12 PM O:\PROJECTS\TOWNHOMES\DR HORTON\DFW EAST\HURRICANE CREEK NORTH TH\8 UNIT BUILDING\REVIT\8 UNIT BUILDING_2023-03-14.rvt

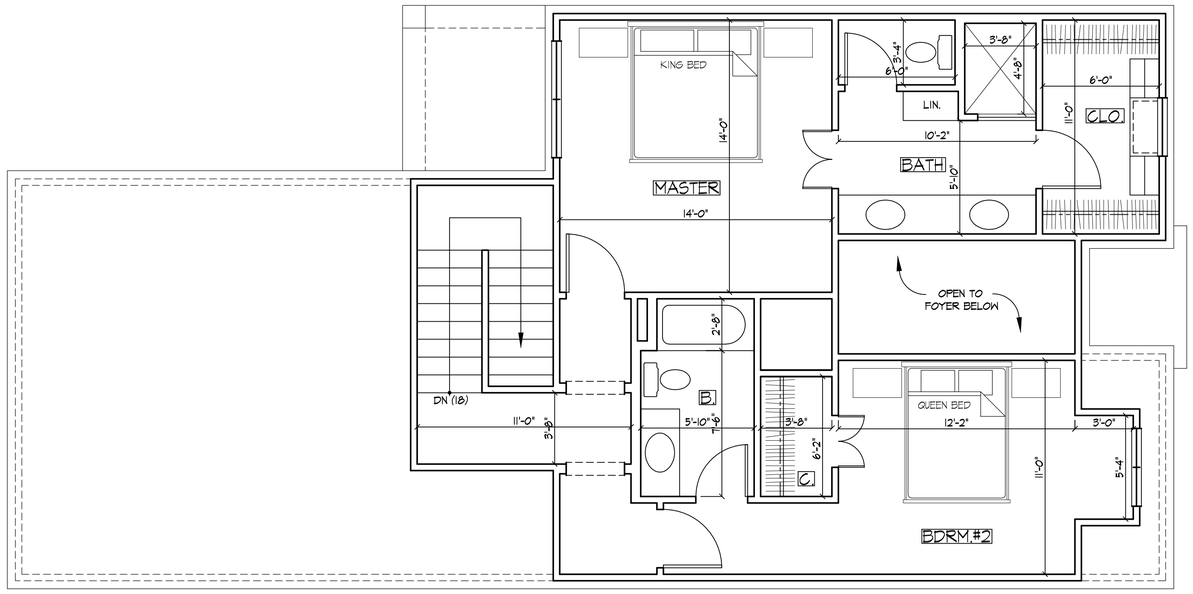
EXHIBIT D-2: Single Family

(For Illustration purposes only/Actual product may vary depending on The Builder, their product, and requirements per City Building Ordinance.

EXHIBIT D-2: Single Family

(For Illustration purposes only/Actual product may vary depending on The Builder, their product, and requirements per City Building Ordinance.

AREAS	
FIRST FLOOR LIVING AREA	1,097 SQ. FT.
SECOND FLOOR LIVING AREA	824 SQ. FT.
TOTAL LIVING AREA	1,921 SQ. FT.
GARAGE	446 SQ. FT.
PORCH & PATIO	27 SQ. FT.
OUTDOOR LIVING	62 SQ. FT.
TOTAL UNDER ROOF AREA	2,456 SQ. FT.

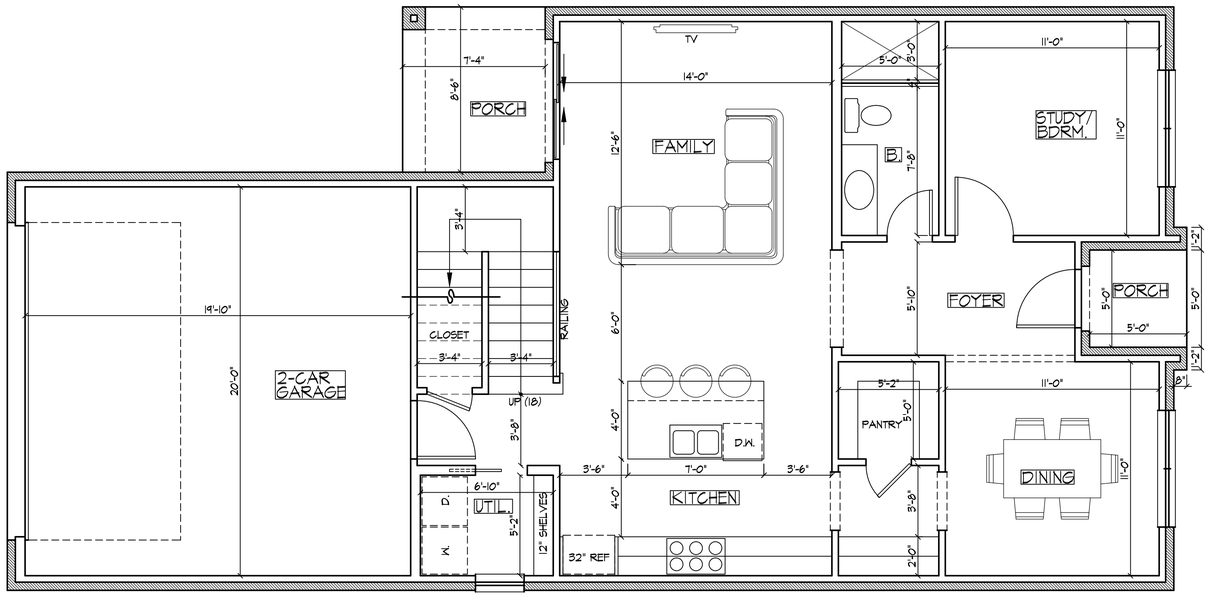


SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"

FRONT ELEVATION

SCALE: 1/4"=1'-0"



FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

FILE NAME: 2264-PLAN_A (04-22-2022) HW

EXHIBIT D-3a: Multifamily

(For Illustration purposes only/Actual product may vary depending on The Builder, their product, and requirements per City Building Ordinance.

3 BUILDING ELEVATION 3
1/8" = 1'-0"

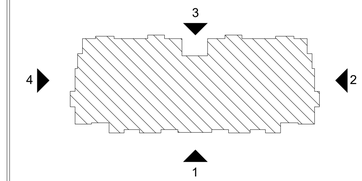
BUILDING MATERIALS PERCENTAGE			
CATEGORY A - MASONRY(BRICK, STONE)	1702 SQ. FT	51 %
CATEGORY B - FIBER CEMENT	1613 SQ. FT	49 %
TOTAL	3315 SQ. FT	100 %

MATERIALS KEY		
FACADE TREATMENT MATERIALS		
LPS	FIBER CEMENT LAP SIDING 10" EXPOSURE	
LPS	FIBER CEMENT LAP SIDING 6" EXPOSURE	
B&B	BOARD & BATTEN	
FCP	FIBER CEMENT PANEL	
ROOF	SHINGLES 30 YR COMP.(30 LB)	

LEGEND	
	ELECTRIC METER LOCATION
	WALL PACK
	EXT. SCONCE
BLDG. A	BLDG. SIGNAGE

T.O.H. = TOP OF HEEL
T.O.P. = TOP OF PLATE
T.O.D. = TOP OF DECKING
T.O.F. = TOP OF FOUNDATION

NOTES
- MATERIALS SHALL BE CONTINUOUS AT EXTERIOR CORNERS AND TRANSITION AT INTERIOR CORNERS.
- WALL MOUNTED EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW FROM A STREET OR PAKING AREA, AND ON A MINIMUM OF THREE SIDES. EXPOSED CONDUIT, LADDERS, UTILITY BOXES AND DRAIN SPOUTS MUST BE PAINTED TO MATCH THE COLOR OF THE PRINCIPAL STRUCTURE. NATURAL METALIC FINISHES ARE ACCEPTABLE ALTERNATIVE TO PAINT.
- PROVIDE CITY/ FIRE DEPARTMENT DIRECTIONAL SIGNAGE FOR BLDG NUMBER REQUIREMENTS.
- REFER TO SITE PLAN FOR ANSI UNIT LOCATIONS



KEY PLAN BUILDING A

4 BUILDING A ELEVATION 4
1/8" = 1'-0"

BUILDING MATERIALS PERCENTAGE			
CATEGORY A - MASONRY(BRICK, STONE)	778 SQ. FT	61 %
CATEGORY B - FIBER CEMENT	627 SQ. FT	39 %
TOTAL	1275 SQ. FT	100 %

2 BUILDING A ELEVATION 2
1/8" = 1'-0"

BUILDING MATERIALS PERCENTAGE			
CATEGORY A - MASONRY(BRICK, STONE)	778 SQ. FT	61 %
CATEGORY B - FIBER CEMENT	627 SQ. FT	39 %
TOTAL	1275 SQ. FT	100 %

1 BUILDING A ELEVATION 1
1/8" = 1'-0"

BUILDING MATERIALS PERCENTAGE			
CATEGORY A - MASONRY(BRICK, STONE)	1734 SQ. FT	53 %
CATEGORY B - FIBER CEMENT	1566 SQ. FT	47 %
TOTAL	3300 SQ. FT	100 %

EXHIBIT D-3: Multifamily

(For Illustration purposes only/Actual product may vary depending on The Builder, their product, and requirements per City Building Ordinance.)

01/03/2024

REVISIONS

DHI ELEVON - MULTI-FAMILY

325 APARTMENT UNITS IN LAVON, TEXAS
DHI COMMUNITIES

REVIEW PRINTS NOT TO BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION

HEDK ARCHITECTS
4595 EXCEL PKWY ADDISON, TX 75001
214.520.8878
hedk.com

DATE
01/03/2024

PROJECT
23128

SHEET NUMBER
A4-10

ELEVATION BLDG A

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EXHIBIT D-3b: Multifamily

(For Illustration purposes only/Actual product may vary depending on The Builder, their product, and requirements per City Building Ordinance.

BUILDING MATERIALS PERCENTAGE		
CATEGORY A - MASONRY(BRICK, STONE)	1595 SQ. FT	52 %
CATEGORY B - FIBER CEMENT	1469 SQ. FT	48 %
TOTAL	3064 SQ. FT	100 %

3 BUILDING D ELEVATION
1/8" = 1'-0"

BUILDING MATERIALS PERCENTAGE		
CATEGORY A - MASONRY(BRICK, STONE)	694 SQ. FT	54 %
CATEGORY B - FIBER CEMENT	584 SQ. FT	46 %
TOTAL	1278 SQ. FT	100 %

2 BUILDING D ELEVATION
1/8" = 1'-0"

BUILDING MATERIALS PERCENTAGE		
CATEGORY A - MASONRY(BRICK, STONE)	2217 SQ. FT	50 %
CATEGORY B - FIBER CEMENT	2217 SQ. FT	50 %
TOTAL	4434 SQ. FT	100 %

1 BUILDING D ELEVATION
1/8" = 1'-0"

MATERIALS KEY		
FACADE TREATMENT MATERIALS		
LPS	FIBER CEMENT LAP SIDING 10" EXPOSURE	
LPS	FIBER CEMENT LAP SIDING 6" EXPOSURE	
B&B	BOARD & BATTEN	
FCP	FIBER CEMENT PANEL	
ROOF	SHINGLES 30 YR COMP.(30 LB)	

LEGEND	
	ELECTRIC METER LOCATION
	WALL PACK
	EXT. SCONCE
BLDG. A	BLDG. SIGNAGE

T.O.H. = TOP OF HEEL
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T.O.D. = TOP OF DECKING
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NOTES
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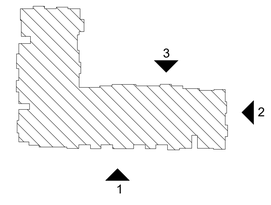

KEY PLAN BUILDING D

EXHIBIT D-3: Multifamily

(For Illustration purposes only/Actual product may vary depending on The Builder, their product, and requirements per City Building Ordinance.)

01/03/2024

REVISIONS

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325 APARTMENT UNITS IN LAVON, TEXAS
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hedk.com

DATE
01/03/2024

PROJECT
23128

SHEET NUMBER
A4-40

ELEVATION BLDG D

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EXHIBIT D: Monument Sign (Example of 8'x5' is Shown)

EXHIBIT E: Street Sign and Post (by Brandon Industries or Equivalent)

Exhibit F: Street Light

ONCOR Approved LED Street Light Fixture	Brandon Industries LED Street Light Fixture

Exhibit G: Decorative Mailboxes

(Example Picture shows Mail Box by Brandon Industries)

Post mounted Decorative Mailbox for Single-Family District	**Clustered Decorative Mailbox for Townhome and Multifamily District**

Clustered Decorative Mailbox under covered canopy (Townhomes and Multifamily)

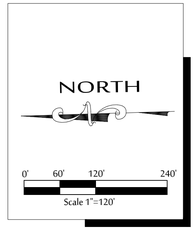
Exhibit H: Bench/Trash Can

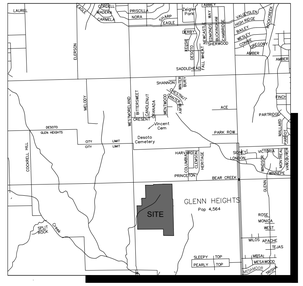
Trash Container	Benches

Exhibit J: Kids' Playground

Exhibit L: Masonry Wall

Exhibit “C”
[Concept Plan]





VICINITY MAP
NOT TO SCALE

Note:

1. Drainage/Flood study will be done during details engineering submittal
2. A traffic impact analysis will be provided based on proposed density during details engineering submittal

LAND INFORMATION	
EXISTING ZONING	PD 6, R & MF
TOTAL SITE AREA	111.606 ACRES /
PROPOSED ZONING	PD 27
PROPOSED 5' TRAIL	
PH-1 DEVELOPMENT [TOWNHOME DISTRICT, PARK & POND]	
PH-2 DEVELOPMENT [SINGLE FAMILY HOME DISTRICT, PARK & POND]	
PH-3 DEVELOPMENT [MULTIFAMILY DISTRICT, PARK & POND]	
PARK BENCH & TRASH CAN	

	PROPOSED LAND USE		
COLOR	LOT DESCRIPTION		NO. OF UNITS
	TOWNHOMES		222
	SINGLE FAMILY	9000+ SQF	81
		5500-9000 SQFT	192
	MULTIFAMILY		368
	POND /Detention /Recreation		05
	PARK		09

Proposed Land Use District	Base Zoning District	Total Approximate Land Area (Including open space)	Approximate Open / Park Space (Percent of Land)	Open / Park Space (Min. Required)	Max. Required Density. (units/ acre)
District-1 Townhome District PH-1 Development	MF/Multifamily Residential	24.42 acres (21.88%)	3.65acres (15.31%)	15%	12
District-2 Single-Family PH-2 Development	SF-3/ Single-Family Residential-3	66.10 acres (59.25%)	11.63 acres (17.8%)	15%	8
District-3 Multifamily Residential District	MF/ Multifamily Residential	21.08 acres (18.87%)	7.90 acres (37.47 %)	15%	30
	Total	**111.606 acres (100%)**	**23.18 acres (20.77%)**	-	-

DESIGN DEVELOPMENT CONSULTANTS, INC.
CIVIL, MUNICIPAL & LAND DEVELOPMENT CONSULTANT
FIRM REGISTRATION # 10970
400 CHISHOLM PLACE, SUITE 310, PLANO, TX 75075.
SITE OFFICE:4440 Lafite Ln,Colleyville, TX, 76034.
Tel: 214-868-9320
Email: abed.ddc@gmail.com

OWNER/DEVELOPER:
SHAMROCK ANGEL LLC.
151 PLAYERS CIRCLE
SOUTHLAKE, TEXAS 76092
TEL: 817-715-3613
EMAIL: farrukh_azim@hotmail.com

ENGINEER:
S.I.ABED, P.E., C.F.M.
PRINCIPAL, DDC, INC.
TEXAS REGISTRATION NO. 97531
400 CHISHOLM PLACE, SUITE 410,
PLANO, TX, 75075
TEL: 214-868-9320;
EMAIL: abed.ddc@gmail.com
FIRM REGISTRATION NO. 10970

CHRIS HOWARD, RPLS, PLS (OK)
PRESIDENT , GEONAV, LLC
3410 MIDCOURT ROAD, SUITE 110
CARROLLTON, TEXAS 75006
EMAIL: chris.howard@geo-nav.com
O: 972-243-2409
C: 281-701-3989
TBPLS FIRM NO. 10194205

EXHIBIT C:
CONCEPT PLAN
PARADISE ESTATES

SOUTH EAST CORNER OF S. WESTMORELAND ROAD & BEAR CREEK ROAD
CITY OF GLENN HEIGHTS, DALLAS COUNTY, TEXAS.

AGENDA SUMMARY SHEET
June 4, 2024

CONSENT AGENDA, ITEM 2

Discuss and take action to approve Ordinance O-08-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, regarding a request by Patrick McIntyre on behalf of Stewart Farms amending the zoning ordinance and map of the City of Glenn Heights, as heretofore amended, by granting a change in zoning for an approximate 96.9 acre parcel of land from Single Family Residential-3 (“SF-3”) to planned development (“PD-001-24”) to allow for the development of the Stewart Farms Subdivision allowing for residential uses with a base zoning of Single Family Residential-3 (“SF-3”) and Commercial uses (“C”), said property being comprised of two tracts located in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas and being more particularly described in Exhibit “1” attached hereto (the “property”), providing for the approval of the development regulations for the property attached hereto as Exhibit “2”, and providing for approval of the concept plan attached hereto as Exhibit “3”. (Second Reading) (Parviz Pourazizian, Director of Planning and Development Services)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

ORDINANCE O-08-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF GLENN HEIGHTS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FOR AN APPROXIMATE 96.9 ACRE PARCEL OF LAND FROM SINGLE FAMILY RESIDENTIAL-3 ("SF-3") TO PLANNED DEVELOPMENT ("PD-001-24") TO ALLOW FOR THE DEVELOPMENT OF THE STEWART FARMS SUBDIVISION ALLOWING FOR RESIDENTIAL USES WITH A BASE ZONING OF SINGLE FAMILY RESIDENTIAL-3 ("SF-3") AND COMMERCIAL USES ("C"), SAID PROPERTY BEING COMPRISED OF TWO TRACTS LOCATED IN THE ELIAS R. PARKS SURVEY, ABSTRACT NO. 1131, CITY OF GLENN HEIGHTS, DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "1" ATTACHED HERETO (THE "PROPERTY"), PROVIDING FOR THE APPROVAL OF THE DEVELOPMENT REGULATIONS FOR THE PROPERTY ATTACHED HERETO AS EXHIBIT "2"; PROVIDING FOR APPROVAL THE CONCEPT PLAN ATTACHED HERETO AS EXHIBIT "3"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after public notice and public hearing as required by law and upon due deliberation and consideration of the recommendation of said Planning and Zoning Commission and of all testimony and information submitted during said public hearing, the City Council of Glenn Heights, Texas, has determined it is in the public's best interest and in furtherance of the health, safety, morals and general welfare of the citizens of the City of Glenn Heights that the Zoning Ordinance should be amended in the manner provided herein.

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

SECTION 1. The Zoning Ordinance and Map of the City of Glenn Heights, Texas, as heretofore amended, be, and the same are hereby further amended by granting a change in zoning from Single Family Residential-3 (SF-3) to Planned Development ("PD-001-24") to allow for the development of the Stewart Farms Subdivision allowing for residential uses with a base zoning of single family residential-3 ("SF-3") and Commercial uses ("C"), said property being comprised of two tracts located in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas, and being more particularly described in Exhibit "1" attached hereto and incorporated herein by this reference (the "Property").

SECTION 2. The development of the Property proposed herein is hereby approved; provided that any such development shall be in accordance with all building regulation, zoning ordinances, subdivision regulations, and any other applicable ordinances of the City, except as may be specifically amended herein, including compliance with the Planned Development District Regulations attached hereto and incorporated herein by this reference as Exhibit "2" ("Development Regulations").

SECTION 3. The Concept Plan for development of the Property attached hereto and incorporated herein by this reference as Exhibit "3" is hereby approved.

SECTION 4. All provisions of the Ordinances of the City of Glenn Heights, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City of Glenn Heights, Texas, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Ordinances of the City of Glenn Heights, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Glenn Heights, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provides.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS ON THIS THE 4THE DAY OF JUNE 2024.

APPROVED:

_____
Sonja A. Brown, Mayor

ATTEST:

_____
Brandi Brown, City Secretary

APPROVED AS TO FORM:

_____
Victoria Thomas, City Attorney

EXHIBIT "1"
Legal Description of the Property

[to be attached]

Exhibit "A-1"

Residential Tract Property Description

PROPERTY DESCRIPTION
94.934 ACRES

BEING a tract of land situated in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas and being all of those tracts conveyed to Wendell Stewart and wife, Martha Stewart, described and recorded as follows: called 5.652-acres in Volume 93054, Page 3907, called 32.148-acres in Volume 95121, Page 2220, called 1.977-acres in Volume 89005, Page 5941, called 6.89-acres in Volume 80175, Page 856, remainder of a called 3.74-acres in Volume 80200, Page 1491, and the remainder from a called 12.00-acres in Volume 75222, Page 1027 Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and Deed Records, Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod set capped (stamped "KHA") for the northeast corner of said 45.652-acre tract, same being the northwest corner of that tract of land conveyed to Nekaya Duffey, according to the document filed of record in Instrument No. 202000356715 Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), in the south right of way line of South Bear Creek Road a variable width right-of-way;

THENCE South 00°35'13" East, leaving said south line, with the east line of said 45.652-acre tract, same being common with the west line of said Duffey tract, a distance of 627.03 feet to a 1/2-inch iron rod set capped (stamped "KHA"), same being a westerly line of the above-mentioned 1.977-acre tract, for the south corner of said Duffey tract;

THENCE North 38°26'45" East, with said westerly line, a distance of 13.67 feet to a 5/8-inch iron rod found disturbed for the northwest corner of said 1.977-acre tract, same being the southwest corner of a called 3.337-acre tract of land conveyed to Amos Taylor, Jr. and Patsy Taylor, according to the document filed of record in Instrument No. 201300265865 (O.P.R.D.C.T.);

THENCE North 89°34'28" East, with the north line of said 1.977-acre tract, same being common with the south line of said 3.337-acre tract, a distance of 432.92 feet to a 1/2-inch iron rod set capped (stamped "KHA") for the northeast corner of said 1.977-acre tract, same being the northwest corner of a called 1.5-acre tract of land conveyed to Amos Taylor, Jr. and Patsy Ruth Taylor, according to the document filed of record in Volume 91211, Page 747 (D.R.D.C.T.), from which a 1-inch iron pipe found for reference bears, North 11°26'50" East, a distance of 1.29 feet;

THENCE South 01°17'15" East, with the east line of said 1.977-acre tract, same being common with the west line of said 1.5-acre tract, a distance of 173.99 feet to a 1/2-inch iron rod found in the north line of the above-mentioned 6.89-acre tract, for the southeast corner of said 1.977-acre tract, same being the southwest corner of said 1.5-acre tract;

THENCE North 89°31'19" East, with said north line, same being common with the south line of said 1.5-acre tract, a distance of 375.23 feet to a 3/8-inch iron rod found for the northeast corner of said 6.89-acre tract, in the west right of way line of South Westmoreland Road a variable width right-of-way;

THENCE South 01°20'54" East, with the east line of said 6.89-acre tract, same being common with said west right-of-way line, a distance of 347.73 feet to a 5/8-inch iron rod with plastic cap stamped “TXRCS” found for the southeast corner of said 6.89-acre tract, same being the northeast corner of a called 1.581-acre tract of land conveyed to Ejandro C. Arroyo and Shannon L. Arroyo, according to the document filed of record in Instrument No. 202100270599 (O.P.R.D.C.T.);

THENCE South 89°12'48" West, with the south line of said 6.89-acre tract, same being common with the north line of said 1.581-acre tract, a distance of 327.05 feet to a 5/8-inch iron rod with plastic cap stamped “TXRCS” found in the north line of the above-mentioned 3.74-acre tract, same being the northwest corner of said 1.581-acre tract;

THENCE South 00°47'46" East, with the west line of said 1.581-acre tract, a distance of 207.47 feet to a 5/8-inch iron rod with plastic cap stamped “TXRCS” found for the southwest corner of said 1.581-acre tract;

THENCE South 89°59'32" East, with the south line of said 1.581-acre tract, a distance of 329.64 feet to a 5/8-inch iron rod with plastic cap stamped “TXRCS” found for the southeast corner of said 1.581-acre tract;

THENCE South 00°54'27" East, with the east line of said 12.00-acre tract, same being common with said west right of way line, a distance of 151.36 feet to a 3/8-inch pipe found for the northeast corner of that tract of land conveyed to James C. Howard and Sabrina Evans, according to the document filed of record in Instrument No. 201000196586, (O.P.R.D.C.T.);

THENCE North 88°09'17" West, with the north line of said James C. Howard tract, a distance of 417.44 feet to a 1/2-inch iron rod set capped (stamped “KHA”) for the northwest corner of said James C. Howard tract;

THENCE South 01°50'12" East, with the west line of said James C. Howard tract, and west line of a called 1.99-acre tract of land conveyed to Gayle Russell and wife Irene Russell, according to the document filed of record in Volume 99117, Page 5729, (D.R.D.C.T.), passing a 1/2-inch iron rod found for the southwest corner of said James C. Howard tract at a distance of 208.80 feet continuing for a total distance of 417.44 feet to a point for corner for the southwest corner of said 1.99-acre tract, in the north line of a called 2.227-acre tract of land conveyed to Cameron Joseph Zimney and Emily Dean Zimny, according to the document filed of record in Instrument No. 201900053035 (O.P.R.D.C.T.);

THENCE North 88°08'49" West, with the south line of the above-mentioned 12.00-acre tract, same being common with the north line of called 2.227-acre tract, a distance of 299.22 feet to a 1/2-inch iron rod found in said south line, for the northernmost northeast corner of said 32.148-acre tract, for the northwest corner of said 2.227-acre tract;

THENCE South 01°30'51" East, with the westernmost east line of said 32.148-acre tract, same being common with the west line of said 2.227-acre tract, a distance of 151.82 feet to a 1/2-inch iron rod found for an interior “ell” corner of said 32.148-acre tract, for the southwest corner of said 2.227-acre tract;

THENCE North 89°16'41" East, with a north line of said 32.148-acre tract, same being common with the south line of said 2.227-acre tract, a distance of 715.97 feet to a 3-inch iron pipe found for the eastern most northeast corner of said 32.148-acre tract, for the southeast corner of said 2.227-acre tract, and being in the said west line of South Westmoreland Drive;

THENCE South 01°38'40" East, with the east line of said 32.148-acre tract, same being common with said west right of way line, a distance of 190.58 feet to a point;

THENCE over and across said 32.148-acre tract the following courses:

South 88°21’20” West, 36.28 feet to a point;

South 67°25’01” West, 267.40 feet to a point;

South 25°45’41” West, 44.01 feet to a point;

South 00°45’25” East, 54.34 feet to a point;

South 38°44’28” East, 80.14 feet to a point;

South 00°45’13” East, 88.81 feet to a point in the south line of said 32.148-acre tract, same being common with the north line of a called 100.358-acre tract of land conveyed to KGN Realty, LLC according to the document filed of record in Instrument No. 202100261547 (O.P.R.D.C.T.);

THENCE South 89°14'47" West, with said common line a distance of 1,869.75 feet to a 1/2-inch iron rod found for the southwest corner of said 32.148-acre tract, same being the southeast corner of a called 24.694-acre tract of land conveyed to Creek Heights LLC., according to the document filed of record in Instrument No. 202200015546 (O.P.R.D.C.T.), from which a 5/8-inch pink TxDOT ROW Monument bears North 0°55’07” East, a distance of 21.89 feet and a second 5/8” pink TxDOT ROW Monument bears South 89°59’0” East, a distance of 27.64 feet;

THENCE North 01°34'23" West, with the west line of said 32.148-acre tract, same being common with the east line of said 24.694-acre tract, a distance of 750.45 feet to a 3/8-

inch iron rod found for the northwest corner of said 32.148-acre tract, same being the southwest corner of the above-mentioned 45.652-acre tract;

THENCE with the west line of said 45.652-acre tract, same being common with the east line of said 24.694-acre tract the following bearings and distances:

North 17°35'26" East, a distance of 300.34 feet to a 3/8-inch iron rod found for corner;

North 05°39'10" West, a distance of 194.50 feet to a 3/8-inch iron rod found for corner;

North 17°08'27" East, a distance of 349.49 feet to a 3/8-inch iron rod found for corner;

North 01°27'27" West, a distance of 217.50 feet to a 1/2-inch iron rod set capped (stamped “KHA”) for corner;

North 09°56'35" East, a distance of 132.54 feet to a 3/8-inch iron rod found for corner;

North 20°45'03" East, a distance of 272.85 feet to a 3/8-inch iron rod found for corner;

North 13°13'30" East, a distance of 80.25 feet to a 1/2-inch iron rod with cap stamped “Precise Land Surveying” found, for the southeast corner of a called 1.01-acre tract of land conveyed to Tona Holloway, according to the document filed of record in Instrument No. 200900253645 (O.P.R.D.C.T.), from which a 1-inch iron pipe found bears North 37°59’55” East, a distance of 0.73 feet;

THENCE North 02°14'39" East, with the east line of said 1.01-acre tract, a distance of 334.03 feet to a point for corner in the north line of said 45.652-acre tract, same being the northeast corner of said 1.01-acre tract, in the south line of said West Bear Creek Road, from which a 1/2-inch iron rod with cap stamped “Precise Land Surveying” found for reference bears, South 2°14’39” East, a distance of 0.73 feet;

THENCE North 81°20'38" East, with the north line of said 45.652-acre tract, same being common with the south line of said West Bear Creek Road, a distance of 59.83 feet to a 1/2-inch iron rod set capped (stamped “KHA”) for corner;

THENCE North 89°30'08" East, continuing with said common line, a distance of 895.72 feet to the **POINT OF BEGINNING** and containing 4,135,344 square feet or 94.934 acres of land.

Exhibit "A-2"

Commercial Tract Property Description

PROPERTY DESCRIPTION
1.958 ACRES

BEING a tract of land situated in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas and being a portion of a called 32.148-acre tract of land conveyed to Wendell Stewart and wife, Martha Stewart, according to the deed filed of record in Volume 95121, Page 2220 of the Deed Records, Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the southeast corner of said 32.148-acre tract, same being in the west line of South Westmoreland Road (a variable width right of way), same being in the north of a called 100.358-acre tract of land conveyed to KGN Realty, LLC according to the document filed of record in Instrument No. 202100261547 (O.P.R.D.C.T.);

THENCE South 89°14'47" West, with said south and north lines, 260.20 feet to a point, from which a 1/2-inch iron rod found for the southwest corner of said 32.148-acre tract, same being the southeast corner of a called 24.694-acre tract of land conveyed to Creek Heights LLC., according to the document filed of record in Instrument No. 202200015546 (O.P.R.D.C.T.), bears South 89°14'47" West, 1,869.75 feet;

THENCE over and across said 32.148-acre tract the following courses:

North 00°45'13" West, 88.81 feet to a point;

North 38°44'28" West, 80.14 feet to a point;

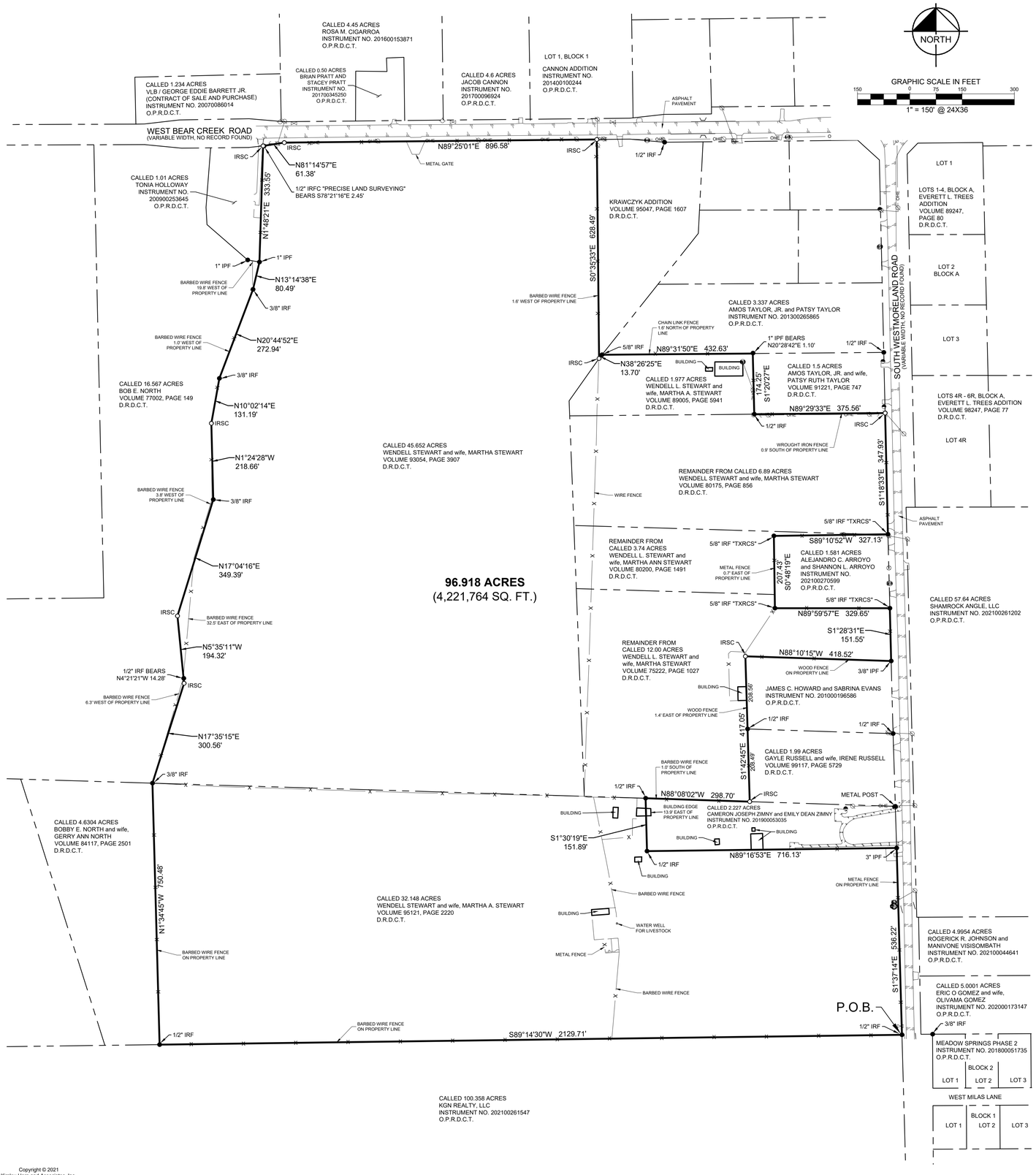
North 00°45'25" West, 54.34 feet to a point;

North 25°45'41" East, 44.01 feet to a point;

North 67°25'01" East, 267.40 feet to a point;

North 88°21'20" East, 36.28 feet to a point in the east line of said 32.148-acre tract and said west right of way line, from which a 3-inch iron pipe found for the eastern most northeast corner of said 32.148-acre tract, bears North 01°38'40" West, 190.58 feet;

THENCE South 01°38'40" East, with said east line and said west right of way line, 345.73 feet to the **POINT OF BEGINNING** and containing 85,289 square feet or 1.958 acres of land.



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PROPERTY DESCRIPTION

BEING a tract of land located in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas, and being all a called 32.148 acre tract described in the deed to Wendell Stewart and wife, Martha A. Stewart, recorded in Volume 95121, Page 2220 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), all of a called 45.652 acre tract described in the deed to Wendell Stewart and wife, Martha Stewart, recorded in Volume 93054, Page 3907 D.R.D.C.T., all of a called 1.977 acre tract described in the deed to Wendell L. Stewart and wife, Martha A. Stewart recorded in Volume 89005, Page 5941 D.R.D.C.T., part of a called 6.89 acre tract described in the deed to Wendell Stewart and wife, Martha Stewart, recorded in Volume 80175, Page 856 D.R.D.C.T., part of a called 3.74 acre tract described in the deed to Wendell L. Stewart and wife, Martha Ann Stewart, recorded in Volume 80200, Page 1491 D.R.D.C.T., and part of a called 12.00 acre tract described in the deed to Wendell L. Stewart and wife, Martha Stewart, recorded in Volume 75222, Page 1027 D.R.D.C.T. Said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found in the westerly right-of-way line of South Westmoreland Road, a variable width right of way, no record found, for the northeast corner of a called 100.358 acre tract described in the deed to KGN Realty, LLC, recorded in Instrument No. 202100261547 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), the southeast corner of said 32.148 acre tract and the southeast corner hereof;

THENCE South 89°14'30" West, with the north line of said 100.358 acre tract and the south line of said 32.148 acre tract, a distance of 2,129.71 feet to a 1/2-inch iron rod found for the southeast corner of a called 4.6304 acre tract described in the deed to Bobby E. North and wife, Gerry Ann North, recorded in Volume 84117, Page 2501 D.R.D.C.T., the southwest corner of said 32.148 acre tract and the southwest corner hereof;

THENCE North 01°34'45" West, departing the north line of said 100.358 acre tract, with the east line of said 4.6304 acre tract and the west line of said 32.148 acre tract, a distance of 750.48 feet to a 3/8-inch iron rod found for the southeast corner of a called 16.567 acre tract described in the deed to Bob E. North recorded in Volume 77002, Page 149 D.R.D.C.T., the northeast corner of said 4.6304 acre tract, the southwest corner of said 45.652 acre tract, the northwest corner of said 32.148 acre tract, and an angle corner hereof;

THENCE with the easterly lines of said 16.567 acre tract and the westerly lines of said 45.652 acre tract, the following courses and distances:

North 17°35'15" East, a distance of 300.56 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 05°35'11" West, a distance of 194.32 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 17°04'16" East, a distance of 349.39 feet to a 3/8-inch iron rod found,

North 01°24'28" West, a distance of 218.66 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 10°02'14" East, a distance of 131.19 feet to a 3/8-inch iron rod found,

North 20°44'52" East, a distance of 272.94 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 13°14'38" East, a distance of 80.49 feet to a 1-inch iron pipe found for the southeast corner of a called 1.1 acre tract described in the deed to Tonia Holloway recorded in Instrument No. 200900253645 O.P.R.D.C.T., the southerly northeast corner of said 16.567 acre tract, an angle corner of said 45.652 acre tract and an angle corner hereof;

THENCE North 01°48'21" East, with the east line of said 1.01 acre tract and the northernmost west line of said 45.652 acre tract, a distance of 333.55 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the southerly right-of-way line of West Bear Creek Road, a variable width right of way, no record found, for the northeast corner of said 1.01 acre tract, the northwest corner of said 45.652 acre tract and the northwest corner hereof; a 1/2-inch iron rod with cap marked "Precise Land Surveying" found for reference bears South 78°21'16" East 2.45 feet from said iron rod set;

THENCE with the southerly right-of-way line of said Bear Creek Road and the north lines of said 45.652 acre tract, the following courses and distances:

North 81°14'57" East, a distance of 61.38 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set,

North 89°25'01" East, a distance of 896.58 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northwest corner of the Krawczyk Addition, an addition to the City of Glenn Heights as shown on the plat recorded in Volume 95047, Page 1607 D.R.D.C.T., the northeast corner of said 45.652 acre tract, and the northernmost northeast corner hereof;

THENCE South 00°35'33" East, with the west line of said Krawczyk Addition and the northerly east line of said 45.652 acre tract, a distance of 628.49 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the northwest line of said 1.977 acre tract, for the south corner of Krawczyk Addition, a northerly southeast corner of said 45.652 acre tract and an interior corner hereof;

THENCE North 38°26'25" East, with the southeast line of said Krawczyk Addition and the northwest line of said 1.977 acre tract a distance of 13.70 feet to a 5/8-inch iron rod found for the southwest corner of a called 3.337 acre tract described in the deed to Amos Taylor, Jr. and Patsy Taylor recorded in Instrument No. 201300265865 O.P.R.D.C.T., the northwest corner of said 1.977 acre tract and an easterly northwest corner hereof;

THENCE North 89°31'50" East, departing the southeast line of said Krawczyk Addition, with the south line of said 3.337 acre tract and the north line of said 1.977 acre tract, a distance of 432.63 feet to a point for the northwest corner of a called 1.5 acre tract described in the deed to Amos Taylor, Jr. and wife, Patsy Ruth Taylor, recorded in Volume 91221, Page 747 D.R.D.C.T., the northeast corner of said 1.977 acre tract and a northeast corner hereof; a 1-inch iron pipe found for reference bears North 20°28'42" East 1.10 feet from said point for corner;

THENCE South 01°20'27" East, departing the south line of said 3.337 acre tract, with the west line of said 1.5 acre tract and the east line of said 1.977 acre tract, a distance of 174.25 feet to a 1/2-inch iron rod found in the north line of said 6.89 acre tract, for the southwest corner of said 1.5 acre tract, the southeast corner of said 1.977 acre tract and an interior corner hereof;

THENCE North 89°29'33" East, with the south line of said 1.5 acre tract and the north line of said 6.89 acre tract, a distance of 375.56 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the westerly right-of-way line of said South Westmoreland Road, for the southeast corner of said 1.5 acre tract, the northeast corner of said 6.89 acre tract and a northeast corner hereof;

THENCE South 01°18'33" East, with the westerly right-of-way line of said South Westmoreland Road and the east line of said 6.89 acre tract, a distance of 347.93 feet to a 5/8-inch iron rod with cap marked "TXRCS" found for the northeast corner of a called 1.581 acre tract described in the deed to Alejandro C. Arroyo and Shannon L. Arroyo recorded in Instrument No. 202100270599 O.P.R.D.C.T., and the northernmost southeast corner hereof;

THENCE South 89°10'52" West, departing the westerly right-of-way line of said South Westmoreland Road, across said 6.89 acre tract, said 3.74 acre tract and said 12.00 acre tract, with the north line of said 1.581 acre tract, a distance of 327.13 feet to a 5/8-inch iron rod with cap marked "TXRCS" found for the northwest corner of said 1.581 acre tract and an interior corner hereof;

THENCE South 00°48'19" East, continuing across said 3.74 acre tract and said 12.00 acre tract, with the west line of said 1.581 acre tract, a distance of 207.43 feet to a 5/8-inch iron rod with cap marked "TXRCS" found for the southwest corner of said 1.581 acre tract and an interior corner hereof;

THENCE North 89°59'57" East, continuing across said 12.00 acre tract, with the south line of said 1.581 acre tract, a distance of 329.65 feet to a 5/8-inch iron rod with cap marked "TXRCS" found in the westerly right-of-way line of said South Westmoreland Road, the northerly east line of said 12.00 acre tract, for the southeast corner of said 1.581 acre tract and a northeast corner hereof;

THENCE South 01°28'31" East, with the westerly right-of-way line of said South Westmoreland Road and the northerly east line of said 12.00 acre tract, a distance of 151.55 feet to a 3/8-inch iron pipe found for the northeast corner of a tract of land described in the deed to James C. Howard and Sabrina Evans recorded in Instrument No. 201000196586 O.P.R.D.C.T., the northerly southeast corner of said 12.00 acre tract and a northerly southeast corner hereof;

THENCE North 88°10'15" West, with the north line of said Howard tract and the northerly south line of said 12.00 acre tract, a distance of 418.52 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Howard tract, an interior corner of said 12.00 acre tract and an interior corner hereof;

THENCE South 01°42'45" East, with the west line of said Howard tract and the westerly east line of said 12.00 acre tract, at a distance of 208.56 feet passing 1/2-inch iron rod found for the northwest corner of a called 1.99 acre tract described in the deed to Gayle Russell and wife, Irene Russell, recorded in Volume 99117, Page 5729 D.R.D.C.T. and the southwest corner of said Howard tract, continuing with the west line of said 1.99 acre tract a total distance of 417.05 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set in the north line of a called 2.227 acre tract described in the deed to Cameron Joseph Zimny and Emily Dean Zimny recorded in Instrument No. 201900053035 O.P.R.D.C.T., for the southwest corner of said 1.99 acre tract, the southerly southeast corner of said 12.00 acre tract and a southeast corner hereof;

THENCE North 88°08'02" West, with the southerly south line of said 12.00 acre tract and the north line of said 2.227 acre tract, a distance of 298.70 feet to a 1/2-inch iron rod found for westerly northeast corner of said 32.148 acre tract, the northwest corner of said 2.227 acre tract and an interior corner hereof;

THENCE South 01°30'19" East, departing the southerly south line of said 12.00 acre tract, with the west line of said 2.227 acre tract and the westerly east line of said 32.148 acre tract, a distance of 151.89 feet to a 1/2-inch iron rod found for the southwest corner of said 2.227 acre tract, an interior corner of said 32.148 acre tract and an interior corner hereof;

THENCE North 89°16'53" East, with the south line of said 2.227 acre tract and the easterly north line of said 32.148 acre tract, a distance of 716.13 feet to a 3-inch pipe found in the westerly right-of-way line of said South Westmoreland Road, for the southeast corner of said 2.227 acre tract, the easterly northeast corner of said 32.148 acre tract, and the southernmost northeast corner hereof;

THENCE South 01°37'14" East, with the westerly right-of-way line of said South Westmoreland Road and the easterly east line of said 32.148 acre tract, a distance of 536.22 feet to the **POINT OF BEGINNING** and containing 96.918 acres (4,221,764 square feet) of land, more or less.

NOTE:

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998816029.

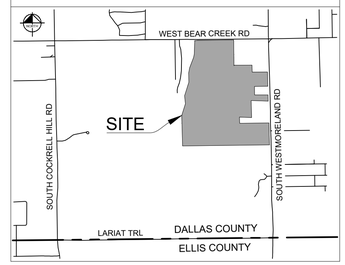
SURVEYORS CERTIFICATION:

I hereby certify that this survey substantially complies with the current Texas Society of Professional Land Surveyors Standards and Specifications for a Category 1B Condition II Survey.

Brady Alan Becker
Registered Professional Land Surveyor No. 6529
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
brady.becker@kimley-horn.com

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

VICINITY MAP N.T.S.



LEGEND

GUY ANCHOR	IRSC 5/8" IRON ROD W/ "KHA" CAP SET
LIGHT STANDARD	IRFC IRON ROD WITH CAP FOUND
ELECTRIC METER	IRF IRON ROD FOUND
UTILITY POLE	IPF IRON PIPE FOUND
SIGN	P.O.B. POINT OF BEGINNING
IRRIGATION CONTROL VALVE	D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS
FIRE HYDRANT	
WATER METER	O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
WATER VALVE	
WATER WELL	
BOUNDARY LINE	
PROPERTY LINE	
OVERHEAD UTILITY LINE	
FENCE LINE	
EDGE OF ASPHALT	

No.	DATE	REVISION DESCRIPTION
1		.

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
Tel. No. (972) 335-3580
FIRM # 10193822
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 150'	BB	KHA	11/15/2021	068517151	1 OF 1

LAND TITLE SURVEY
96.918 ACRES
ELIAS R. PARK SURVEY, ABSTRACT NO. 1131
CITY OF GLENN HEIGHTS, DALLAS COUNTY, TEXAS

DWG NAME: K:\FRI_SURVEY\068517151-STEWART FARMS-GLENN HEIGHTS\DWG\068517151 STEWART FARMS BOUNDARY V1B.DWG PLOTTED BY BECKER, BRADY 11/15/2021 4:55 PM LAST SAVED 11/15/2021 4:55 PM

EXHIBIT "2"
Development Regulations

[to be attached]

Stewart Farms
Planned Development District Regulations

City of Glenn Heights, Texas

_____ ___, 2024

Stewart Farms
Development Regulations

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SECTION 1. PURPOSE AND INTENT

1.01 **General**

Stewart Farms is a mixed-use development blending a combination of a residential community and commercial uses purposefully designed to facilitate quality development, livability, and neighborhood amenities.

The residential community, to be known as Stewart Farms (hereafter, also referred to as "Stewart"), has been designed as a modern, walkable neighborhood consisting of single-family homes and open space with amenities located throughout the site. Great care has been taken to provide for a combination of lot sizes with all lots having easy access to the community parks and green space areas.

There is approximately 15.7 acres of open space which include one or more community pocket parks, a playground, a cabana or pavilion, benches and other seating areas, and walking trails throughout the community to foster a pedestrian-friendly and family-centered atmosphere. The green space features provide a generous amount of open space, carefully placed and designed to maximize the amenity they provide to the whole community.

The Stewart Farms Concept Plan demonstrates the two (2) Lot Types available to homeowners and indicates general land uses. These Planned Development District Regulations (the "Regulations") set forth the general lot/housing mix and building design standards. Based on current market trends, build-out of Stewart is expected to take 3 to 4 years.

In addition to the residential community, Stewart Farms includes an approximately two (2) acre commercial tract that will allow neighborhood serving, low intensity commercial, retail and service uses.

1.02 **Planned Development District**

Stewart Farms is a Planned Development District, as defined under the City of Glenn Heights' Comprehensive Zoning Ordinance and is intended to accommodate different residential Lot Types, including single-family dwellings, garden homes, or any appropriate combination of uses. It is also intended to accommodate neighborhood service uses (e.g., commercial, retail, and offices uses) for the Commercial Tract (as defined herein). Except as set forth in these Regulations, the Planned Development District will be planned and developed in accordance with planned development provisions of the City of Glenn Heights' Comprehensive Zoning Ordinance (including, without limitation, Exhibit A to Chapter 14 and the City's Subdivision Regulations contained in Chapter 10).

SECTION 2. DEFINITIONS

For the purposes of these Regulations, the following defined terms shall have the meaning set forth. The terms defined below are specific to Stewart.

(a) "City Code" means the Code of Ordinances of the City of Glenn Heights, Texas as it exists as of the Effective Date.

(b) "City of Glenn Heights' Comprehensive Zoning Ordinance" means Ordinance O-03-09 of the City of Glenn Heights, Texas, as set forth in Exhibit A to Chapter 14 of the City Code, as it exists as of the Effective Date.

(c) "Commercial Tract" shall mean the portion of the Property, as generally depicted on the Concept Plan, to be used for commercial and related purposes, and as more particularly described on **Exhibit "A-2"**.

(d) "Concept Plan" shall mean the conceptual drawing of the Property, which provides a general understanding and depiction of the intended general land use of the Property, which Concept Plan is attached hereto as **Exhibit "B"**.

(e) "Covered Postal Pavilion" means that mailboxes are covered by a shade structure such as a roof, awning, cover, or other similar structure. Covered Postal Pavilions may be open-air (i.e., an unenclosed structure). By way of example, a covered postal pavilion will have a cover such as a roof, awning, cover, or other similar structure to provide protection from the elements, but it is not required to have exterior walls.

(f) "Declarant" shall have the meaning set forth in the Declaration.

(g) "Declaration" means that certain Declaration of Covenants, Conditions, and Restrictions that will be filed in connection with the subdivision of the Residential Tract setting forth deed restrictions, architectural guidelines and controls, and creating a homeowners' association for the management and enforcement of such restrictions and guidelines.

(h) "Development Standards" means Chapter 15 of the City Code, as it now exists or may hereafter be amended.

(i) "Effective Date" means the date this planned development district was duly approved by the City Council of the City of Glenn Heights, Texas.

(j) "HOA" means a homeowners' association.

(k) "Lot Type" means a classification of residential product subject to the regulations established in this document.

(l) "Owner" or "Owners" means the owner(s) of the Property.

(m) "Planned Development District" means a Planned Development District, as defined in Article IX, Section 4.2 of the City of Glenn Heights' Comprehensive Zoning Ordinance.

(n) "PD Site Plan" means a PD site plan required for certain planned development districts pursuant to Article IX, Section 4.2 of the City of Glenn Heights' Comprehensive Zoning Ordinance.

(o) "Property" shall mean the property more particularly described on **Exhibit "A-1"** and **Exhibit "A-2"** hereto.

(p) "Residential Tract" shall mean the portion of the Property, as generally depicted on the Concept Plan, to be used for residential and related purposes, and as more particularly described on **Exhibit "A-1"**.

SECTION 3. ALLOCATION OF LAND USES

The land use allocation in Stewart Farms is estimated to be as set forth in the table below. The allocation in the table below is for informational purposes only to give a sense of the mix of uses within the planned development district and may be adjusted with preliminary plat and final plat approval.

Table 1 - Approximate Land Use Allocation

Land Use	Approx. Acres
Perimeter Thoroughfares/ Rights-of-Way	1.6
Perimeter Thoroughfare/Landscape Buffer	0.4
Open Space/ Detention	15.7
Commercial Tract	2.0
Residential Lots and Rights-of-Way	77.2
Total PD Acres	**96.9**

SECTION 4. RESIDENTIAL TRACT LOT TYPES, ALLOCATIONS AND SPECIFICATIONS

4.01 The total number of residential dwelling units in Stewart Farms will not exceed Three Hundred Fifty (350).

4.02 The following classifications of Lot Types are permitted in Stewart:

A. **Tradition Lots - Single-Family Residential-3 (SF-3) Base Zoning District uses.** A minimum of twenty percent (20%) of the total residential lots within Stewart Farms shall be developed in accordance with all regulations applicable to the Single-Family Residential-3 (SF-3) Base Zoning District (Article IX, Section 2.5

of the City of Glenn Heights' Comprehensive Zoning Ordinance), except as modified herein:

a. Maximum Height:

(1) Two and one-half (2.5) stories, or thirty-five feet (35') for the main building/house.

(2) Fifteen feet (15') for other accessory buildings, including detached garage, garden shed, accessory dwelling units, etc.

b. No minimum project area.

c. Minimum Lot Area: The minimum lot area shall be 7,200 square feet. No minimum average lot area and no maximum number of dwelling units per acre so long as the total of all dwelling units within Stewart Farms does not exceed 350.

d. Minimum Lot Width: The minimum lot width shall be 60' except for cul-de-sac lots or eyebrow lots that shall have a minimum of width of 30' measured at the right-of-way line.

e. Minimum Lot Depth: One hundred fifteen feet (115') as measured from the front right-of-way line to the rear property line.

f. Minimum Front Yard Setback: The minimum front yard setback shall be twenty feet (20').

g. Side Yard Setbacks: The minimum side yard setback shall be 5' and the minimum side yard setback on a corner lot shall be 15'.

h. Minimum Rear Yard Setback: The minimum read yard setback shall be fifteen feet (15').

i. Maximum Lot Coverage: seventy percent (70%) for the main building; seventy-five percent (75%) for the main building and any accessory buildings, driveways and parking areas combined.

j. Minimum roof slope must be a minimum pitch of 6:12.

k. Parking:

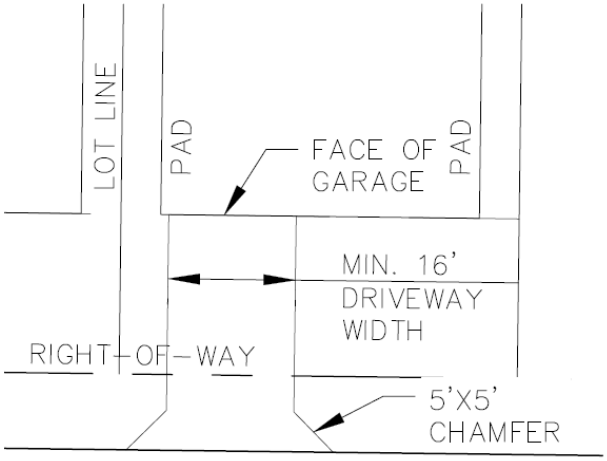
(1) Single-Family Dwelling Unit - A minimum of two (2) enclosed, attached parking spaces behind the front building line on the same lot as the main structure, plus two (2) additional parking spaces on a paved driveway having a minimum length of twenty feet (20') from any paved or improved public surface (i.e., roadway, sidewalk).

l. Garages: Garages shall be traditional front entry with a minimum dimension of 20′ x 20′. Garage placement shall not trigger any additional setbacks.

m. Minimum floor area per dwelling unit: The minimum floor area per dwelling unit shall be 1,800 square feet. No minimum average floor area per dwelling unit is required.

n. Driveways must contain a minimum concrete paved width of 16 feet from the right-of-way to the garage. The minimum width is measured perpendicularly from the edges of the concrete driveway. See **Figure 1** below for an illustration showing the measurement of the minimum paved width. The requirements of Section 15.04.004 of the Development Standards do not apply.

Figure 1.



o. Along internal residential streets, a concrete sidewalk, a minimum width of four feet (4'), shall be constructed adjacent to residential lots and generally parallel with the internal street adjacent to such residential lots. A trail may be provided in lieu of a sidewalk when an internal street is adjacent to open space. A sidewalk or trail adjacent to open space or common area may be up to 20′ from the back of curb. The requirements of Section 15.04.005 of the Development Standards do not apply.

B. **Classic Lots - Single-Family Residential-3 (SF-3) Base Zoning District uses.** A maximum of 280 of the total residential lots within Stewart Farms shall be developed in accordance with all regulations applicable to the Single-Family Residential-3 (SF-3) Base Zoning District (Article IX, Section 2.5 of the City of Glenn Heights′ Comprehensive Zoning Ordinance), except as modified herein:

a. Maximum Height:

(1) Two and one-half (2.5) stories, or thirty-five feet (35') for the main building/house.

(2) Fifteen feet (15') for other accessory buildings, including detached garage, garden shed, accessory dwelling units, etc.

b. No minimum project area.

c. Minimum Lot Area: The minimum lot area shall be 6,000 square feet. No minimum average lot area and no maximum number of dwelling units per acre so long as the total of all dwelling units within Stewart Farms does not exceed 350. A maximum of 280 of the total residential lots within Stewart Farms may be developed as "Classic Lots" in accordance with the terms and requirements of this Section 4.02(B).

d. Minimum Lot Width: The minimum lot width shall be 50' except for cul-de-sac lots or eyebrow lots that shall have a minimum of width of 30' measured at the right-of-way line.

e. Minimum Lot Depth: One hundred fifteen feet (115') as measured from the front right-of-way line to the rear property line.

f. Minimum Front Yard Setback: The minimum front yard setback shall be twenty feet (20').

g. Side Yard Setbacks: The minimum side yard setback shall be 5' and the minimum side yard setback on a corner lot shall be 15'.

h. Minimum Rear Yard Setback: The minimum read yard setback shall be fifteen feet (15').

i. Maximum Lot Coverage: Fifty-five percent (55%) for the main building; seventy percent (70%) for the main building and any accessory buildings, driveways and parking areas combined.

j. Minimum roof slope must be a minimum pitch of 6:12.

k. Parking:

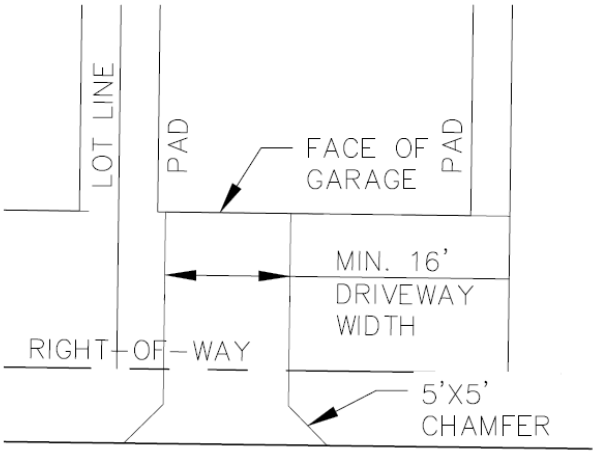
(1) Single-Family Dwelling Unit - A minimum of two (2) enclosed, attached parking spaces behind the front building line on the same lot as the main structure, plus two (2) additional parking spaces on a paved driveway having a minimum length of twenty feet (20') from any paved or improved public surface (i.e., roadway, sidewalk).

l. Garages: Garages shall be traditional front entry, with a minimum dimension of 20' x 20'. Garage placement shall not trigger any additional setbacks.

m. Minimum floor area per dwelling unit: The minimum floor area per dwelling unit shall be 1,500 square feet.

n. Driveways must contain a minimum concrete paved width of 16 feet from the right-of-way to the garage. The minimum width is measured perpendicularly from the edges of the concrete driveway. See **Figure 2** below for an illustration showing the measurement of the minimum paved width. The requirements of Section 15.04.004 of the Development Standards do not apply.

Figure 2.



o. Along internal residential streets, a concrete sidewalk, a minimum width of four feet (4'), shall be constructed adjacent to residential lots and generally parallel with the internal street adjacent to such residential lots. A trail may be provided in lieu of a sidewalk when an internal street is adjacent to open space. A sidewalk or trail adjacent to open space or common area may be up to 20′ from the back of curb. The requirements of Section 15.04.005 of the Development Standards do not apply.

The allocation of Lot Types within the Residential Tract of Stewart Farms is estimated to be as follows:

Table 2 - Estimated Lot Allocation

Lot Type	**Minimum/Maximum Percentage of Residential Tract**
Tradition	Minimum of 20%
Classic	Maximum of 80%
Estimated Total Lot Type Percentages	**100%**

For a summary of the sizes and specifications of the Lot Types in comparison to the base zoning (SF-3), see Table 3A and Table 3B below. Note, Table 2, Table 3A and Table 3B are provided for informational purposes. In the event of a conflict between Table 2, Table 3A and/or Table 3B and Sections 4.02(A)-(B) herein, Sections 4.02(A)-(B) shall control.

Table 3A – Tradition Lots Summary of Specifications in Comparison to Base Zoning (SF-3)

Standard		Base Zoning – SF-3	Tradition	Tradition Deviation
	Maximum Height	2.5 stories or 35'	2.5 stories or 35'	N/A
	Minimum Lot Area	9,000	7,200	-1,800
	Minimum Average Lot Area	11,000	None	-3,800 (compared to 7,200 min. lot area)
	Minimum Lot Width*	70'	60'	-10
	Minimum Lot Depth**	120'	115'	-5
	Minimum Front Yard	30'	20'	-10
	Minimum Side Yard	8' Interior / 15' corner / 25' corner arterial	5' Interior / 15' corner / 25' corner arterial	-3' Interior / 0' corner / 0' corner arterial
	Minimum Rear Yard	20'	15'	-5
	Maximum Lot Coverage	40% main building; 60% main building, accessory buildings, driveways, and parking areas combined	70% main building; 75% main building, accessory buildings, driveways, and parking areas combined	-30%; -15%
	Minimum Lot Access	35' @ ROW line	35' @ ROW line	N/A
	Parking Requirement	2 enclosed attached garages (24'x24')	2 enclosed attached garages (20'x20')	-4'x4'
	Additional Parking	2 on paved driveway 30' from 10' past nearest paved or improved surface	2 on paved driveway 20' from nearest paved or improved surface	N/A - Still providing 2 Parking Spaces
	Minimum Floor Area per Dwelling	1,750	1,800	+50
	Minimum Average Floor Area	1,850	None	-50 (compared to min. per d.u.)

*Minimum Lot Width shown is for typical lots and is measured at the building line. See Section 4.02(A)(d) above for supplemental standards – cul-de-sac lots or eyebrow lots shall have a minimum width of 30' measured at the right-of-way line.

**Minimum Lot Depth is as measured from the front right-of-way line to the rear property line.

Table 3B – Classic Lots Summary of Specifications in Comparison to Base Zoning (SF-3)

Standard		Base Zoning – SF-3	Classic	Classic Deviation
	Maximum Height	2.5 stories or 35'	2.5 stories or 35'	N/A
	Minimum Lot Area	9,000	6,000	-3,000
	Minimum Average Lot Area	11,000	None	-5,000 (compared to 6,000 min. lot area)
	Minimum Lot Width*	70'	50'	-20
	Minimum Lot Depth**	120'	115'	-5
	Minimum Front Yard	30'	20'	-10
	Minimum Side Yard	8' Interior / 15' corner / 25' corner arterial	5' Interior / 15' corner / 25' corner arterial	-3' Interior / 0' corner / 0' corner arterial
	Minimum Rear Yard	20'	15'	-5
	Maximum Lot Coverage	40% main building; 60% main building, accessory buildings, driveways, and parking areas combined	55% main building; 70% main building, accessory buildings, driveways, and parking areas combined	-15%; -10%
	Minimum Lot Access	35' @ ROW line	35' @ ROW line	N/A
	Parking Requirement	2 enclosed attached garages (24'x24')	2 enclosed attached garages (20'x20')	-4'x4'
	Additional Parking	2 on paved driveway 30' from 10' past nearest paved or improved surface	2 on paved driveway 20' from nearest paved or improved surface	N/A - Still providing 2 Parking Spaces
	Minimum Floor Area per Dwelling	1,750	1,500	-250
	Minimum Average Floor Area	1,850	None	-350 (compared to min. per d.u.)

*Minimum Lot Width shown is for typical lots and is measured at the building line. See Section 4.02(B)(d) above for supplemental standards - cul-de-sac lots or eyebrow lots shall have a minimum width of 30’ measured at the right-of-way line.

**Minimum Lot Depth is as measured from the front right-of-way line to the rear property line.

SECTION 5. COMMERCIAL TRACT

The Commercial Tract shall be developed in accordance with all standards applicable to the “NS” - Neighborhood Service district of the City of Glenn Heights' Comprehensive Zoning Ordinance, except as modified in this Planned Development District.

SECTION 6. PERMITTED USES

6.01 **Residential Tract**. The permitted uses in the Residential Tract of Stewart Farms shall be those as are allowed in the Use Charts for Zoning Classification Single-Family Residential-3 (SF-3) district in Article XI, Section 1 of the City of Glenn Heights' Comprehensive Zoning Ordinance.

6.02 **Commercial Tract**. The permitted uses in the Commercial Tract of Stewart Farms shall be those as are allowed in the Use Charts for Zoning Classification “NS” - Neighborhood Service district in Article XI, Section 1 of the City of Glenn Heights' Comprehensive Zoning Ordinance.

6.03 **Determination of Disputed Use**. If there is a question as to whether a use is permitted, the City Manager for the City or his/her designee shall make a determination whether the use is permitted or prohibited. This determination may be appealed to the Planning and Zoning Commission and the City Council (in that order, respectively).

SECTION 7. RELATIONSHIP TO CITY OF GLENN HEIGHTS' COMPREHENSIVE ZONING ORDINANCE

In the event of a conflict or inconsistency between the written provisions of the enabling ordinance for this Planned Development District (Ordinance No. _____), including these Regulations, and the provisions of the City of Glenn Heights' Comprehensive Zoning Ordinance, the provisions and intent of the enabling ordinance shall control. In the event of a conflict or inconsistency between the written requirements of these Regulations and any information contained on the attached **Exhibit "B"**, Concept Plan, these Regulations shall control. In the event of a conflict or inconsistency between the enabling ordinance for this Planned Development District (including any written requirements in these Regulations and the exhibits attached hereto) and the Development Standards, the requirements of this Planned Development District shall control. These Regulations, together with the applicable provisions of the enabling Ordinance No. _____ and the applicable provisions of the City of Glenn Heights' Comprehensive Zoning Ordinance and the City's subdivision regulations, shall constitute all the development standards that are applicable to the Property.

SECTION 8. GENERAL DESIGN STANDARDS (RESIDENTIAL TRACT)

8.01 **City Building Permits**. All development in Stewart Farms will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.

8.02 **General Villages Planning Standards**

(a) Lot Distribution. Stewart Farms will have two (2) Lot Types as set forth herein with an estimated lot mix as set forth in Table 2 of Section 4 above. However, the Declarant may, depending on homeowner preference and product desirability, elect to vary the lot mix to conform to market conditions at the time of development.

(b) Maximum Number of Dwelling Units. In no case shall the number of residential dwelling units in Stewart Farms exceed Three Hundred Fifty (350).

8.03 **Distribution of Open Space and Amenities**.

(a) In lieu of any open space or park land requirements in the City of Glenn Heights' Comprehensive Zoning Ordinance, at least 15.7 acres of private open space shall be provided in the general locations shown on the Concept Plan. Provision of the minimum 15.7 acres of open space as shown on the Concept Plan shall satisfy any and all open space or park land dedication requirements for development of the Property.

(b) In lieu of any amenity requirements in the City of Glenn Heights' Comprehensive Zoning Ordinance, the Owner or developer shall provide the following amenities within the open space area(s), which shall be accessible to all residents within the Residential Tract:

A. A minimum five foot (5') wide trail shall be provided generally within or along a portion of the open space area;

B. A minimum of one (1) cabana or pavilion;

C. A minimum of three (3) pet waste stations;

D. At least two (2) seating areas;

E. A minimum of one (1) playground; and

F. A minimum of four (4) benches.

(c) The location of the above-listed amenities is subject to the Owner or developer's final civil design. The number of amenities listed above for each item is a total for the entire Residential Tract (and not a minimum per open space area, if more than one open space area is provided).

(d) A swimming pool is not required, but any swimming pool(s) provided shall meet the requirements of Article XIII, Section 3 of the City of Glenn Heights' Comprehensive Zoning Ordinance.

(e) The Owner, developer, or HOA will provide Covered Postal Pavilions.

(f) The HOA shall be responsible for the care, maintenance, and upkeep of the open space, parks, walking trails, common area, Covered Postal Pavilion(s), parking areas, and other amenities in the subdivision, as applicable. Within the governing documents, the HOA shall clearly identify the maintenance responsibilities for all open spaces and amenities within the Residential Tract.

8.04 **Construction Standards**. Notwithstanding any other law, any building product or material may be used in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code (e.g. IRC, IBC) published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or, establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the

building. The provisions of this subsection are subject to the exceptions set out in section 3000.002(b) of the Texas Government Code.

8.05 **Public Utilities**. All public utilities in Stewart must be installed by the Owner or developer in accordance with the City Code and City of Glenn Heights' Comprehensive Zoning Ordinance in effect at the time of approval of a final plat by the City Council of the City, except as provided or amended by this Planned Development District.

8.06 **Streets and Roadways**. Except as provided herein, all streets in Stewart Farms must be designed and constructed in accordance with the City Code and City of Glenn Heights' Comprehensive Zoning Ordinance in effect at the time of approval of a final plat by the City Council of the City.

(a) Street Connectivity.

(1) Block breaks shall be determined by changes in direction, intersections, through block greenways, parks or open spaces.

(2) Sidewalks and trails provided within the Residential Tract must be constructed of concrete. Sidewalks along the street frontage of a residential lot shall be constructed with the construction of the home on said lot.

(3) Neighborhood access to open space, parks, walking trials, and other amenities will be accommodated in the design of the neighborhood street network.

(4) All sidewalks shall have a minimum width of four feet (4'). All trails shall have a minimum width of five feet (5').

(b) Intersection Design Elements.

(1) Design elements, which may be incorporated where feasible (as determined by the Owner or developer) in the specific intersection design, include wide crosswalk striping, special paving treatments, median "refuge islands," and sidewalk bulb-outs approved by the City during final engineering design at the time of engineering plan approvals and in accordance with standard engineering criteria.

(c) General Street Types and Design.

(1) Distribution. Non-standard paving treatments, if any, will be subject to review and approval on a case-by-case basis and will not automatically be accepted for maintenance by the City.

(2) Design Intent. The design intent of these streets is to promote a safe and walkable community.

(3) Typical Street Sections provided as **Exhibit "C"** are allowed within Stewart Farms.

(d) Residential Tract Street Design.

(1) Residential to residential curb returns shall be a minimum 25′ radius.

(2) Residential to arterial curb returns shall be a minimum 30′ radius.

(3) Minimum 10′x10′ right-of-way corner clip for residential to residential roadway intersections. Minimum 25′x25′ right-of-way corner clip for all other roadway intersections.

(4) Cul-de-sac and knuckle right-of-way radius shall be a minimum 50′.

(5) Cul-de-sac and knuckle pavement radius at back of curb shall be a minimum 40.5′.

(6) Minimum centerline radius shall be 250′.

(7) Residential roadway widths shall be a minimum 28′ as measured from back of curb to back of curb.

(e) Natural Drainage. All drainage areas, where feasible, should be treated in a natural manner using materials allowed under the City Ordinances. Where feasible, the development will not negatively impact natural drainage areas.

8.07 **Street/Roadway Lighting**.

(a) All street and roadway lighting, in addition to meeting the requirements of Article 15.03 of the City Code, shall be of a design and size compatible with, and reviewed as an integral part of the overall development design. The development shall include street lights at all intersections and between intersections spaced at a maximum spacing of 200 feet at the illumination of .50 to 1-foot candle. Ornamental street lamps may be combined with similarly designed street signs, mailbox supports and standards, park and open space fencing, and other fixtures throughout the community. An example of one type of permitted street lamps is included with **Exhibit "D"**.

SECTION 9. DEVELOPMENT APPROVAL PROCESS

9.01 **Concept Plan**.

(a) The approved Concept Plan shown in **Exhibit "B"** will serve as the document that establishes general development patterns in Stewart. The preliminary plat, final plat, site plan (which is only required for the Commercial Tract) and building permits shall be submitted for approval in accordance with the applicable City Ordinances, except as amended by these Regulations. No PD Site Plan is required

for development of the Property. The Final Plat will serve as the site plan for the Residential Tract. Building façade plans (elevations) will not be required for the Residential Tract or the Commercial Tract.

(b) Any approved preliminary or final plat must generally conform to the applicable approved **Exhibit "B"**, Concept Plan; however, the location of lots and street alignments may change and are not required to match the Concept Plan, so long as the lot and street layout otherwise conforms to these Regulations. The aforementioned changes do not require City approval so long as the lot and street layout otherwise conforms to these Regulations. Minor changes to the Concept Plan may be approved by the Director of Planning. The following changes, however, are considered major changes to the Concept Plan and require approval by the City Council:

A. Increasing the maximum density to greater than 350 total residential lots on the Residential Tract.

B. Increasing the number of Classic Lots to be greater than 280 lots.

C. Decreasing the amount of open space provided to less than 15.7 acres of total open space.

D. Changing the boundaries of the Residential Tract and the Commercial Tract.

9.02 **Homeowners' Association**.

(a) An HOA shall be created within Stewart Farms.

(b) Any document or agreement creating the HOA within Stewart Farms shall set forth the various rights, duties, obligations, and privileges of such HOA and the Owner(s) of the Property. Maintenance of open spaces, amenities, etc. shall be outlined within said documents. As stated above in Section 8.03, the HOA shall be responsible for the maintenance of all common areas (as described in the HOA documents) and the open space required pursuant to Section 8.03 herein.

(c) The documents creating any HOA shall be filed in accordance with the City's policies. These documents shall be reviewed by the City Attorney prior to filing the final plat. The documents shall be filed substantially current with the filing of the final plat in the real property records for the county in which the Property is located.

SECTION 10. LANDSCAPING AND SCREENING

10.01 **Site Landscaping Applicability**. Other than as set forth herein, all development is required to provide landscaping areas in accordance with the City's landscaping ordinance. The design intent for landscaping in Stewart Farms is to:

(a) Ensure lush maintained landscape in all non-building areas; and

(b) Create greater intensity of plantings, with layered heights, varying colors and textures at entries to the site and/ or buildings.

Single-family residential homes are required to provide, sodded front and side lawns, foundation plantings, shrubbery and other landscaping in all publicly visible non-building areas. Construction of a home on a lot within Stewart Farms shall include the following minimum tree planting, inclusive of street trees, if required:

Lot Type	**Tree Requirement**
Tradition	Two (2) three-inch (3") caliper tree in the front yard zone
Classic	One (1) three-inch (3") Caliper tree in the front yard zone

Trees must be selected from the City's Approved Plant List in the City of Glenn Heights' Comprehensive Zoning Ordinance in effect at the time of the approval of the final plat by the City Council. Trees shall be planted by the builder prior to completion of the home. Any area improved with landscaping by the builder may count towards meeting the landscaping requirements.

10.02 **Maintenance and Replacement**. Individual lot Owners are responsible for the maintenance and replacement of all landscaping and street trees planted to meet the requirements of this Section, unless the trees are planted in a common landscape lot area, in which case the HOA is responsible for maintenance and replacement. Clear sight triangles must be maintained at all times.

SECTION 11. FENCES/ SCREEN WALLS

Any fencing/screening within Stewart Farms shall be in accordance with the following requirements and guidelines:

(a) Privacy Fencing. Single-family homes are required to provide privacy fences at least six-feet (6′) in height along the sides and rear of each lot. Side yard fences shall connect to the house no closer than ten feet (10') from the front facade of the home. The privacy fences may be constructed of (i) wood; or (ii) ornamental metal where a lot is adjacent to or fronting on an open space or green space area.

(b) Perimeter Fencing/Screening. Subdivision fencing/screening shall be at least six feet (6′) in height and provided in the locations shown on **Exhibit "E"**. The screen wall shown in blue on **Exhibit "E"** shall be constructed of one or more masonry materials (e.g., brick, stone or split face concrete block). The screening/fencing shown in orange on **Exhibit "E"** shall be constructed of wood.

(c) Fencing may be provided along the open space boundaries and may be constructed of wood.

(d) Fencing/screening between the Commercial Tract and the Residential Tract shall be required by the Commercial Tract at the time it develops and shall be constructed of one or more masonry materials (e.g., brick, stone or split face concrete block). Fencing/screening between the Commercial Tract and Residential Tract shall be at least six-feet (6') in height. The Residential Tract may (but is not required to) construct an interim wood fence between the Residential Tract and the Commercial Tract.

(e) Subdivision screening will only be required as shown on **Exhibit "E"** and/or described herein.

(f) No fence or other structure more than three feet (3') high can be located within a sight visibility triangle.

(g) Barbed wire is prohibited on any fence.

(h) Chain link fences are prohibited.

Exhibit "A-1"

Residential Tract Property Description

PROPERTY DESCRIPTION
94.934 ACRES

BEING a tract of land situated in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas and being all of those tracts conveyed to Wendell Stewart and wife, Martha Stewart, described and recorded as follows: called 5.652-acres in Volume 93054, Page 3907, called 32.148-acres in Volume 95121, Page 2220, called 1.977-acres in Volume 89005, Page 5941, called 6.89-acres in Volume 80175, Page 856, remainder of a called 3.74-acres in Volume 80200, Page 1491, and the remainder from a called 12.00-acres in Volume 75222, Page 1027 Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and Deed Records, Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod set capped (stamped "KHA") for the northeast corner of said 45.652-acre tract, same being the northwest corner of that tract of land conveyed to Nekaya Duffey, according to the document filed of record in Instrument No. 202000356715 Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), in the south right of way line of South Bear Creek Road a variable width right-of-way;

THENCE South 00°35'13" East, leaving said south line, with the east line of said 45.652-acre tract, same being common with the west line of said Duffey tract, a distance of 627.03 feet to a 1/2-inch iron rod set capped (stamped "KHA"), same being a westerly line of the above-mentioned 1.977-acre tract, for the south corner of said Duffey tract;

THENCE North 38°26'45" East, with said westerly line, a distance of 13.67 feet to a 5/8-inch iron rod found disturbed for the northwest corner of said 1.977-acre tract, same being the southwest corner of a called 3.337-acre tract of land conveyed to Amos Taylor, Jr. and Patsy Taylor, according to the document filed of record in Instrument No. 201300265865 (O.P.R.D.C.T.);

THENCE North 89°34'28" East, with the north line of said 1.977-acre tract, same being common with the south line of said 3.337-acre tract, a distance of 432.92 feet to a 1/2-inch iron rod set capped (stamped "KHA") for the northeast corner of said 1.977-acre tract, same being the northwest corner of a called 1.5-acre tract of land conveyed to Amos Taylor, Jr. and Patsy Ruth Taylor, according to the document filed of record in Volume 91211, Page 747 (D.R.D.C.T.), from which a 1-inch iron pipe found for reference bears, North 11°26'50" East, a distance of 1.29 feet;

THENCE South 01°17'15" East, with the east line of said 1.977-acre tract, same being common with the west line of said 1.5-acre tract, a distance of 173.99 feet to a 1/2-inch iron rod found in the north line of the above-mentioned 6.89-acre tract, for the southeast corner of said 1.977-acre tract, same being the southwest corner of said 1.5-acre tract;

THENCE North 89°31'19" East, with said north line, same being common with the south line of said 1.5-acre tract, a distance of 375.23 feet to a 3/8-inch iron rod found for the northeast corner of said 6.89-acre tract, in the west right of way line of South Westmoreland Road a variable width right-of-way;

THENCE South 01°20'54" East, with the east line of said 6.89-acre tract, same being common with said west right-of-way line, a distance of 347.73 feet to a 5/8-inch iron rod with plastic cap stamped “TXRCS” found for the southeast corner of said 6.89-acre tract, same being the northeast corner of a called 1.581-acre tract of land conveyed to Ejandro C. Arroyo and Shannon L. Arroyo, according to the document filed of record in Instrument No. 202100270599 (O.P.R.D.C.T.);

THENCE South 89°12'48" West, with the south line of said 6.89-acre tract, same being common with the north line of said 1.581-acre tract, a distance of 327.05 feet to a 5/8-inch iron rod with plastic cap stamped “TXRCS” found in the north line of the above-mentioned 3.74-acre tract, same being the northwest corner of said 1.581-acre tract;

THENCE South 00°47'46" East, with the west line of said 1.581-acre tract, a distance of 207.47 feet to a 5/8-inch iron rod with plastic cap stamped “TXRCS” found for the southwest corner of said 1.581-acre tract;

THENCE South 89°59'32" East, with the south line of said 1.581-acre tract, a distance of 329.64 feet to a 5/8-inch iron rod with plastic cap stamped “TXRCS” found for the southeast corner of said 1.581-acre tract;

THENCE South 00°54'27" East, with the east line of said 12.00-acre tract, same being common with said west right of way line, a distance of 151.36 feet to a 3/8-inch pipe found for the northeast corner of that tract of land conveyed to James C. Howard and Sabrina Evans, according to the document filed of record in Instrument No. 201000196586, (O.P.R.D.C.T.);

THENCE North 88°09'17" West, with the north line of said James C. Howard tract, a distance of 417.44 feet to a 1/2-inch iron rod set capped (stamped “KHA”) for the northwest corner of said James C. Howard tract;

THENCE South 01°50'12" East, with the west line of said James C. Howard tract, and west line of a called 1.99-acre tract of land conveyed to Gayle Russell and wife Irene Russell, according to the document filed of record in Volume 99117, Page 5729, (D.R.D.C.T.), passing a 1/2-inch iron rod found for the southwest corner of said James C. Howard tract at a distance of 208.80 feet continuing for a total distance of 417.44 feet to a point for corner for the southwest corner of said 1.99-acre tract, in the north line of a called 2.227-acre tract of land conveyed to Cameron Joseph Zimney and Emily Dean Zimny, according to the document filed of record in Instrument No. 201900053035 (O.P.R.D.C.T.);

THENCE North 88°08'49" West, with the south line of the above-mentioned 12.00-acre tract, same being common with the north line of called 2.227-acre tract, a distance of 299.22 feet to a 1/2-inch iron rod found in said south line, for the northernmost northeast corner of said 32.148-acre tract, for the northwest corner of said 2.227-acre tract;

THENCE South 01°30'51" East, with the westernmost east line of said 32.148-acre tract, same being common with the west line of said 2.227-acre tract, a distance of 151.82 feet to a 1/2-inch iron rod found for an interior “ell” corner of said 32.148-acre tract, for the southwest corner of said 2.227-acre tract;

THENCE North 89°16'41" East, with a north line of said 32.148-acre tract, same being common with the south line of said 2.227-acre tract, a distance of 715.97 feet to a 3-inch iron pipe found for the eastern most northeast corner of said 32.148-acre tract, for the southeast corner of said 2.227-acre tract, and being in the said west line of South Westmoreland Drive;

THENCE South 01°38'40" East, with the east line of said 32.148-acre tract, same being common with said west right of way line, a distance of 190.58 feet to a point;

THENCE over and across said 32.148-acre tract the following courses:

South 88°21’20” West, 36.28 feet to a point;

South 67°25’01” West, 267.40 feet to a point;

South 25°45’41” West, 44.01 feet to a point;

South 00°45’25” East, 54.34 feet to a point;

South 38°44’28” East, 80.14 feet to a point;

South 00°45’13” East, 88.81 feet to a point in the south line of said 32.148-acre tract, same being common with the north line of a called 100.358-acre tract of land conveyed to KGN Realty, LLC according to the document filed of record in Instrument No. 202100261547 (O.P.R.D.C.T.);

THENCE South 89°14'47" West, with said common line a distance of 1,869.75 feet to a 1/2-inch iron rod found for the southwest corner of said 32.148-acre tract, same being the southeast corner of a called 24.694-acre tract of land conveyed to Creek Heights LLC., according to the document filed of record in Instrument No. 202200015546 (O.P.R.D.C.T.), from which a 5/8-inch pink TxDOT ROW Monument bears North 0°55’07” East, a distance of 21.89 feet and a second 5/8” pink TxDOT ROW Monument bears South 89°59’0” East, a distance of 27.64 feet;

THENCE North 01°34'23" West, with the west line of said 32.148-acre tract, same being common with the east line of said 24.694-acre tract, a distance of 750.45 feet to a 3/8-

inch iron rod found for the northwest corner of said 32.148-acre tract, same being the southwest corner of the above-mentioned 45.652-acre tract;

THENCE with the west line of said 45.652-acre tract, same being common with the east line of said 24.694-acre tract the following bearings and distances:

North 17°35'26" East, a distance of 300.34 feet to a 3/8-inch iron rod found for corner;

North 05°39'10" West, a distance of 194.50 feet to a 3/8-inch iron rod found for corner;

North 17°08'27" East, a distance of 349.49 feet to a 3/8-inch iron rod found for corner;

North 01°27'27" West, a distance of 217.50 feet to a 1/2-inch iron rod set capped (stamped “KHA”) for corner;

North 09°56'35" East, a distance of 132.54 feet to a 3/8-inch iron rod found for corner;

North 20°45'03" East, a distance of 272.85 feet to a 3/8-inch iron rod found for corner;

North 13°13'30" East, a distance of 80.25 feet to a 1/2-inch iron rod with cap stamped “Precise Land Surveying” found, for the southeast corner of a called 1.01-acre tract of land conveyed to Tona Holloway, according to the document filed of record in Instrument No. 200900253645 (O.P.R.D.C.T.), from which a 1-inch iron pipe found bears North 37°59’55” East, a distance of 0.73 feet;

THENCE North 02°14'39" East, with the east line of said 1.01-acre tract, a distance of 334.03 feet to a point for corner in the north line of said 45.652-acre tract, same being the northeast corner of said 1.01-acre tract, in the south line of said West Bear Creek Road, from which a 1/2-inch iron rod with cap stamped “Precise Land Surveying” found for reference bears, South 2°14’39” East, a distance of 0.73 feet;

THENCE North 81°20'38" East, with the north line of said 45.652-acre tract, same being common with the south line of said West Bear Creek Road, a distance of 59.83 feet to a 1/2-inch iron rod set capped (stamped “KHA”) for corner;

THENCE North 89°30'08" East, continuing with said common line, a distance of 895.72 feet to the **POINT OF BEGINNING** and containing 4,135,344 square feet or 94.934 acres of land.

Exhibit "A-2"

Commercial Tract Property Description

PROPERTY DESCRIPTION
1.958 ACRES

BEING a tract of land situated in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas and being a portion of a called 32.148-acre tract of land conveyed to Wendell Stewart and wife, Martha Stewart, according to the deed filed of record in Volume 95121, Page 2220 of the Deed Records, Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the southeast corner of said 32.148-acre tract, same being in the west line of South Westmoreland Road (a variable width right of way), same being in the north of a called 100.358-acre tract of land conveyed to KGN Realty, LLC according to the document filed of record in Instrument No. 202100261547 (O.P.R.D.C.T.);

THENCE South 89°14'47" West, with said south and north lines, 260.20 feet to a point, from which a 1/2-inch iron rod found for the southwest corner of said 32.148-acre tract, same being the southeast corner of a called 24.694-acre tract of land conveyed to Creek Heights LLC., according to the document filed of record in Instrument No. 202200015546 (O.P.R.D.C.T.), bears South 89°14'47" West, 1,869.75 feet;

THENCE over and across said 32.148-acre tract the following courses:

North 00°45'13" West, 88.81 feet to a point;

North 38°44'28" West, 80.14 feet to a point;

North 00°45'25" West, 54.34 feet to a point;

North 25°45'41" East, 44.01 feet to a point;

North 67°25'01" East, 267.40 feet to a point;

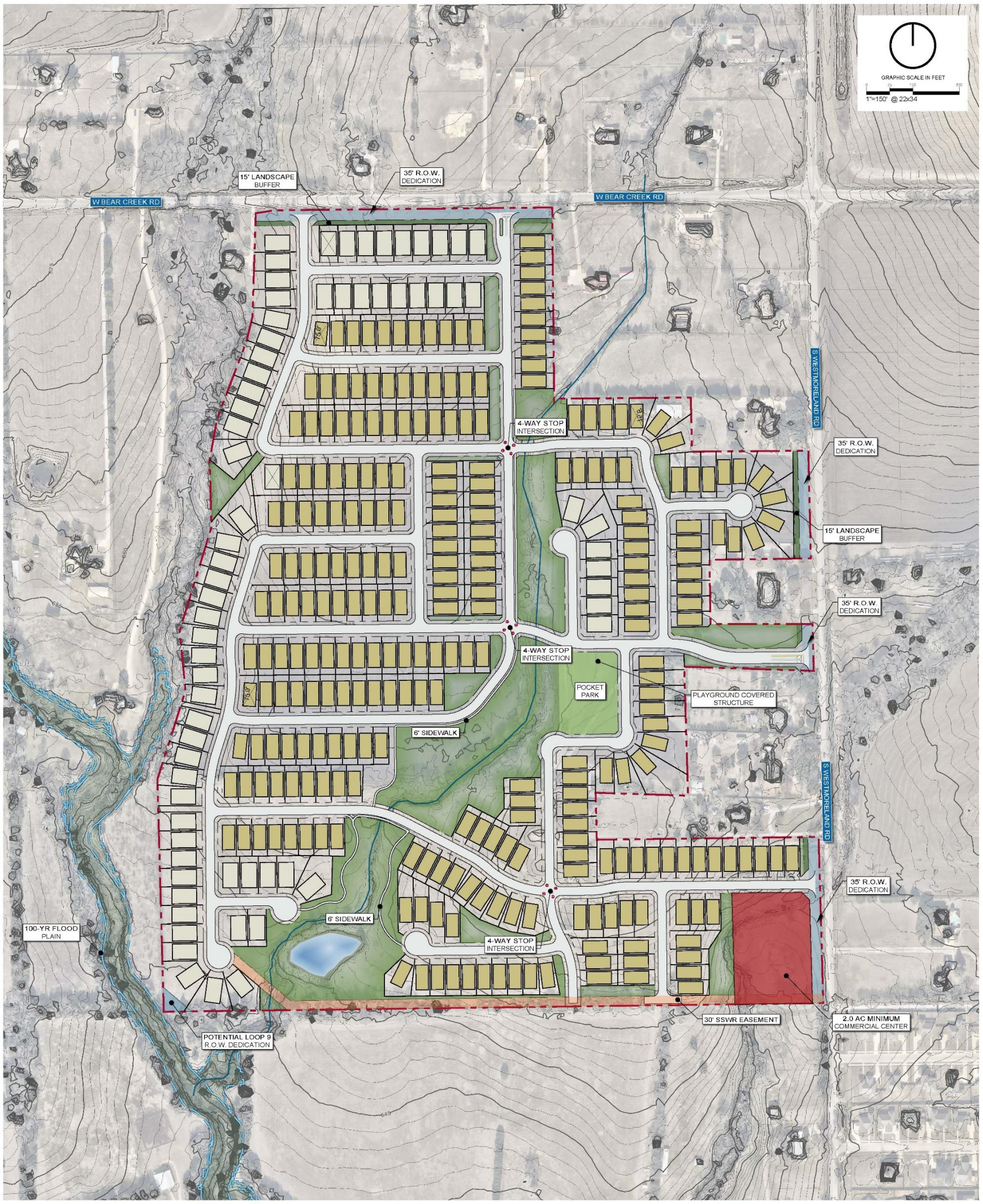
North 88°21'20" East, 36.28 feet to a point in the east line of said 32.148-acre tract and said west right of way line, from which a 3-inch iron pipe found for the eastern most northeast corner of said 32.148-acre tract, bears North 01°38'40" West, 190.58 feet;

THENCE South 01°38'40" East, with said east line and said west right of way line, 345.73 feet to the **POINT OF BEGINNING** and containing 85,289 square feet or 1.958 acres of land.

Exhibit "B"

Concept Plan

(see attached)



CONCEPT PLAN

Stewart Farms

Dallas County, Texas
January, 2024

Land Use Acreage Summary

Perimeter Thoroughfares Rights of Way	1.6
Perimeter Thoroughfare Landscape Buffer	0.4
Commercial Center	2.0
Detention / Open Space	15.7
Residential Lots / Residential Rights of Way	77.2
Total	**96.9**

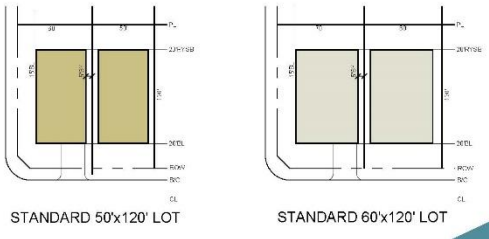
Open Space Acreage Summary

Detention / Open Space	15.7
Area (Net of Perimeter ROW)	93.3
Total Percent Open Space	**16.8%**

Lot Type Summary

50' x 120'	273	79.54%
50' Non-Standard	3	
60' x 120'	69	20.46%
60' Non-Standard	2	
Total	**347**	**100.00%**

Density Summary (Units per Acre)	
Gross	3.5

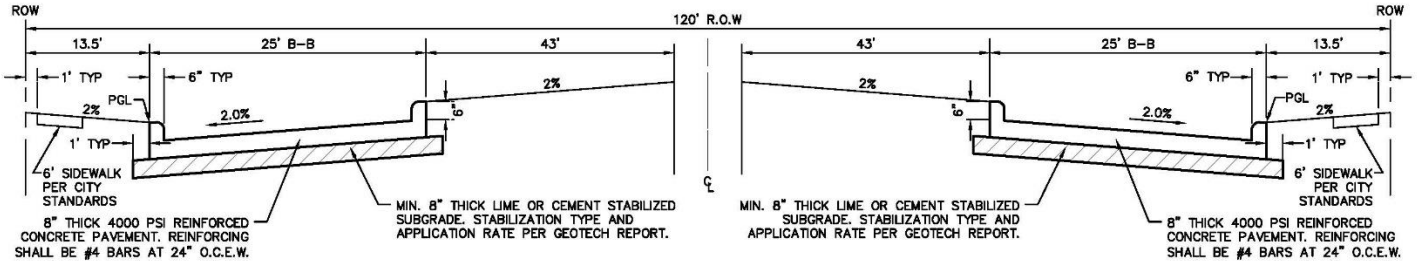


Kimley»Horn
400 N. Oklahoma Dr.
Suite 105
Celina, Texas 75009
469-501-2200
State of Texas Registration No. F-928

Exhibit "C"

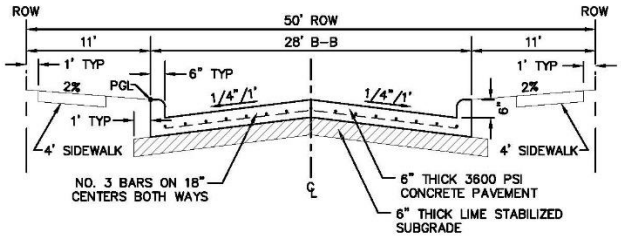
Typical Street Sections

(see attached)



ARTERIAL STANDARD SECTION

NTS



STREET SECTION 50' ROW 28' B-B

NTS

STEWART FARMS
PROPOSED ROADWAY SECTIONS

Kimley»Horn

Exhibit "D"

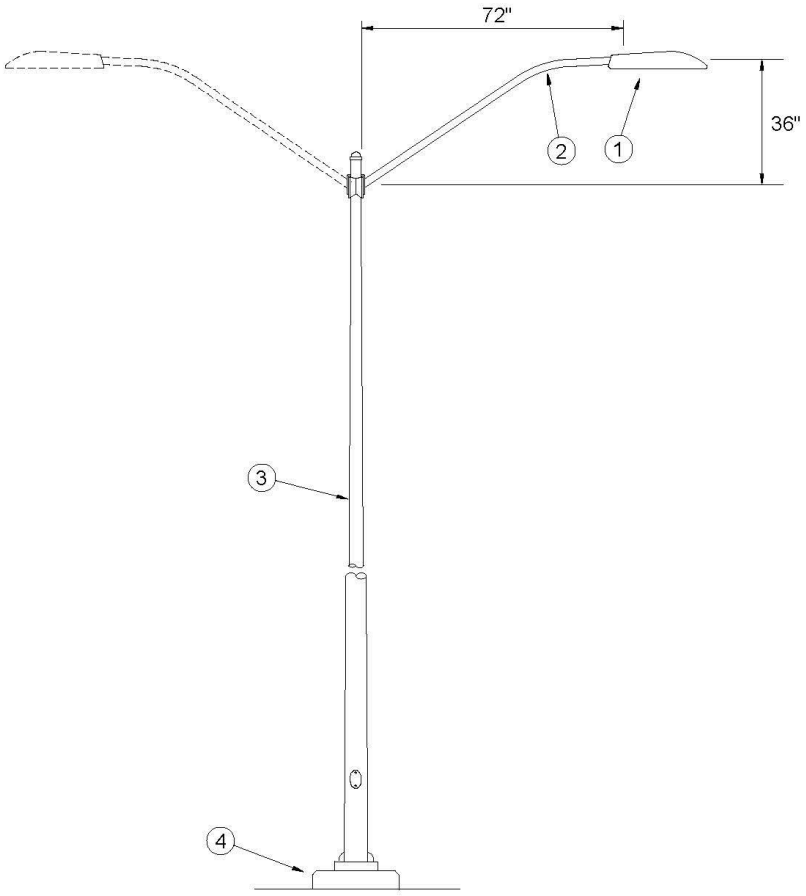
Street Lamp Exhibit

(see attached)

DocuSign Envelope ID: 52BF6C09-A5ED-444D-947B-E6E7A3CE7E85

Cobra Head Luminaire
LED Luminaire

213 - 105
04 - 21



Notes:

A. Photocontrol is included in all LED CUs.

Item	Qty	Description	TSN/Ref	CU
1	0-1	LED, Luminaire, Cobra Head, 0-55 W, Type III, 120-277 V	902644	LEDCH55
1	0-1	LED, Luminaire, Cobra Head, 56-100 W, Type III, 120-277 V	902645	LEDCH100
1	0-1	LED, Luminaire, Cobra Head, 101-140 W, Type III, 120-277 V	902646	LEDCH140
1	0-1	LED, Luminaire, Cobra Head, 141-180 W, Type III, 120-277 V	902647	LEDCH180
1	0-1	LED, Luminaire, Cobra Head, 181-265 W, Type III, 120-277 V	902648	LEDCH265
1	0-1	High Pressure Sodium Luminaire	213-106	
2	1	Bracket, Galvanized Steel	213-107	
3	1	Round Pole, Galvanized Steel, Anchor Base	213-107	
4	1	Precast Foundation	213-108	
5	1	Grounding	213-020	
6	1	Fusing	213-025	

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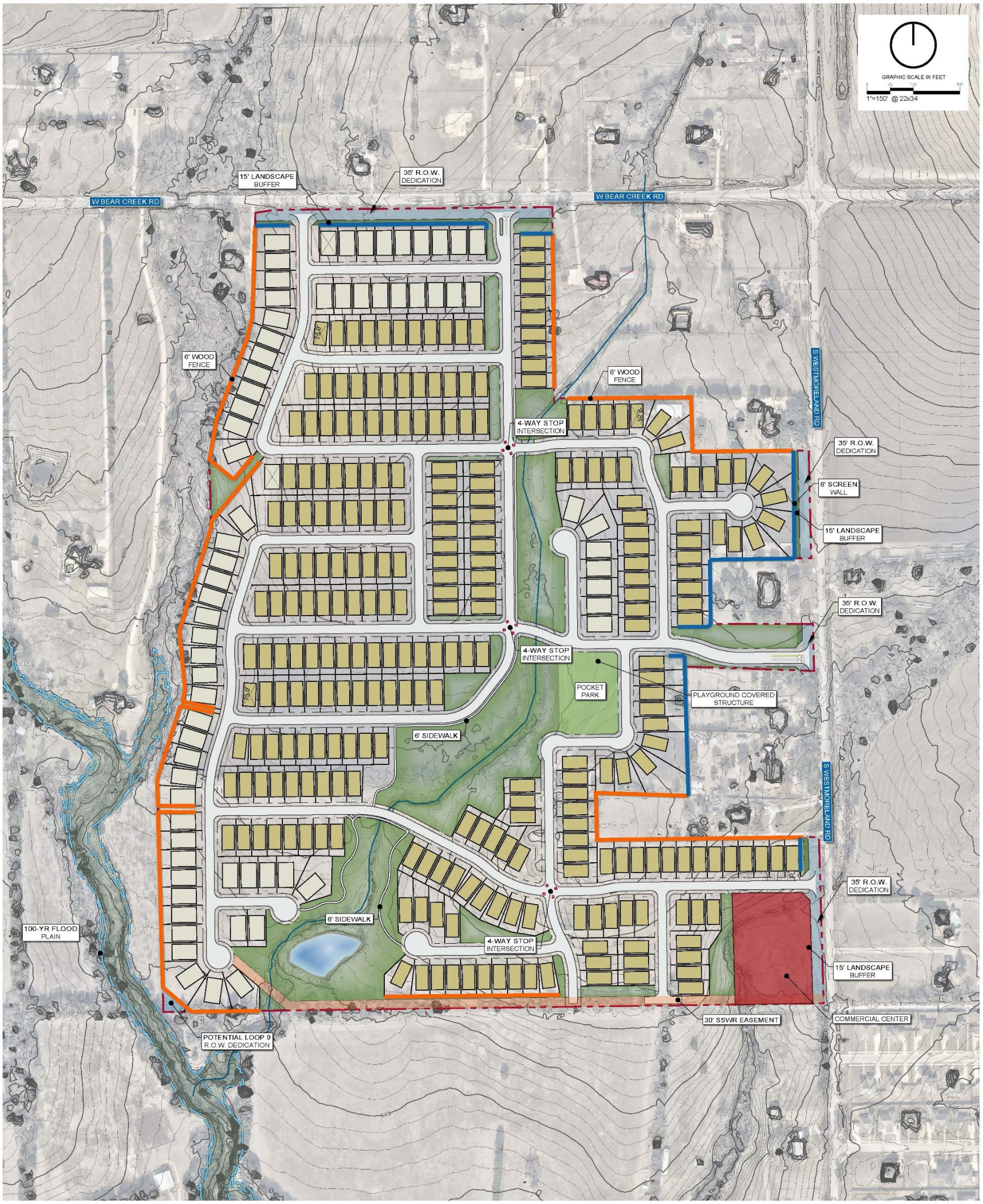
Exhibit "E"

Location of Fencing/ Screen Walls

(see attached)



FENCE/SCREEN WALL EXHIBIT

Stewart Farms

Dallas County, Texas
January, 2024

LEGEND

6' Screen Wall

6' Wood Fence

Land Use Acreage Summary

Perimeter Thoroughfares Rights of Way	1.6
Perimeter Thoroughfare Landscape Buffer	0.4
Commercial Center	2.0
Detention / Open Space	15.7
Residential Lots / Residential Rights of Way	77.2
Total	**96.9**

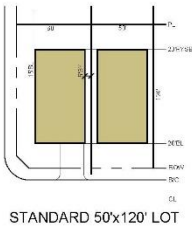
Open Space Acreage Summary

Detention / Open Space	15.7
Area (Net of Perimeter ROW)	93.3
Total Percent Open Space	**16.8%**

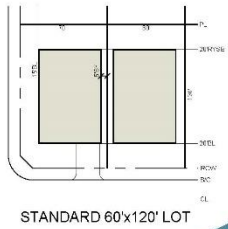
Lot Type Summary

50' x 120'	273	79.54%
50' Non-Standard	3	
60' x 120'	69	20.46%
60' Non-Standard	2	
Total	**347**	**100.00%**

Density Summary (Units per Acre)	
Gross	3.5



STANDARD 50'x120' LOT



STANDARD 60'x120' LOT

Kimley»Horn
400 N. Oklahoma Dr.
Suite 105
Celina, Texas 75009
469-501-2200
State of Texas Registration No. F-928

EXHIBIT "3"
Concept Plan
[to be attached]

4891-9958-5702, v. 1

STEWART FARMS

DALLAS COUNTY, TEXAS

MASTERPLAN

STARLIGHT HOMES

Kimley»Horn

POCKET PARK CONCEPT PLAN

COVERED POSTAL PAVILION

STEWART FARMS

DALLAS COUNTY, TEXAS

STARLIGHT HOMES

Kimley»Horn

AGENDA SUMMARY SHEET
June 4, 2024

CONSENT AGENDA, ITEM 3

Discuss and take action to approve Ordinance O-10-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, amending the Code of Ordinances by amending and updating the City's Water Conservation and Drought Contingency Plan. (Second Reading) (Andrew Waits, Public Works Superintendent)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS

ORDINANCE NO. O-10-24

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING AND UPDATING THE CITY'S WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the water conservation and drought contingency plan of the City of Glenn Heights, Texas, have been adopted and are consolidated in Article 13.03 of Chapter 13, "Utilities," of the Code of Ordinances, City of Glenn Heights, Texas; and

WHEREAS, the Texas Commission on Environmental Quality ("TCEQ"), pursuant to Texas Water Code §13.146, must require retail public utilities that provide potable water service to 3,300 or more connections to submit to the Texas Water Development Board ("TWDB") a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices, or other water conservation strategies; and

WHEREAS, the Texas Commission on Environmental Quality (TCEQ) requires municipalities to review and adopt their water conservation and drought contingency plan every five (5) years; and

WHEREAS, the City Council has determined that amendment of the water conservation and drought contingency plan set forth in the Code of Ordinances is in the best interest of the citizens of the City of Glenn Heights and serves the general welfare and should be approved.

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

SECTION 1. The Drought Contingency Plan set forth in Exhibit "A," attached hereto and incorporated herein by reference, is hereby adopted as the Glenn Heights Drought Contingency Plan for the City of Glenn Heights, and, where in conflict, replaces and amends the provisions of the Water Conservation and Drought Contingency Plan set forth in Article 13,03 of Chapter 13 of the Code of Ordinances, City of Glenn Heights, Texas.

SECTION 2. The City Manager and the Director of Public Works, and those to whom either may delegate such authority, are hereby authorized to take such action as is reasonable and necessary to implement and enforce the policies, programs, and goals set forth in the Drought Contingency Plan adopted herein.

SECTION 3. All provisions of the ordinances of the City of Glenn Heights, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and that all

other provisions of the ordinances of the city not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 5 This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS ON THIS THE 4TH DAY OF JUNE 2024.

APPROVED:

_____
Sonja A. Brown, Mayor

ATTEST:

_____
Brandi Brown, City Secretary

APPROVED AS TO FORM:

_____
David Berman, City Attorney

Exhibit “A”
Drought Contingency Plan

CITY OF GLENN HEIGHTS DROUGHT CONTINGENCY PLAN

City of Glenn Heights
1938 S Hampton Rd,
Glenn Heights, Texas 75154

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Texas Commission on Environmental Quality
Water Availability Division
MC-160, P.O. Box 13087 Austin, Texas 78711-3087
Telephone (512) 239-4600, FAX (512) 239-2214

Drought Contingency Plan for a Retail Public Water Supplier

This form is provided as a model of a drought contingency plan for a retail public water supplier. If you need assistance in completing this form or in developing your plan, please contact the Conservation Staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For municipal water systems, adoption would be by the City Council as an ordinance. For other types of publicly-owned water systems (example: utility districts), plan adoption would be by resolution of the entity's board of directors adopting the plan as administrative rules. For private investor-owned utilities, the drought contingency plan is to be incorporated into the utility's rate tariff. Each water supplier shall provide documentation of the formal adoption of their drought contingency plan.

Name:	City of Glenn Heights	
Address:	2118 S Uhl Rd	
Telephone Number:	(972) 223-1690	Fax: ( )
Water Right No.(s):	N/A	
Regional Water Planning Group:	C	
Form Completed by:	Emilio Reyna	
Title:	Water Quality Operator	
Person responsible for implementation:	Andrew Waits	Phone: (214) 878-2505
Signature:		Date: / /

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Glenn Heights hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

Objectives.
The objectives of this drought contingency plan are as follows:

- To conserve the available water supply in times of drought and emergency.
- To maintain supplies for domestic water use, sanitation, and fire protection.
- To protect and preserve public health, welfare, and safety.
- To minimize the adverse impacts of water supply shortages.
- To minimize the adverse impacts of emergency water supply conditions.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Glenn Heights by means of:

- Providing a copy of the draft version of this plan to any person who requested it.
- Convening a public meeting to accept input on the Plan.

Section III: Public Education

The City of Glenn Heights will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information may be provided by means of, but not limited to, an appropriate combination of the following items:

- Newspaper and magazine articles and announcements
- Press releases, media alerts and social media
- Email and telephone notifications to customers
- Mailed water bill inserts
- Distribution of fact sheets, brochures, and pamphlets
- Customer service representatives
- Public meetings and hearings
- Public education seminars

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Glenn Heights is located within the Region C Water Planning Group and the City of Glenn Heights will provided a copy of this Plan to the Region C Planning Group.

Section V: Authorization

The City Manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. or in conjunction with and upon written notice by the supplier. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this plan shall apply to all persons, customers, and property utilizing water provided by the City of Glenn Heights. The terms "person" and "customer" as used in the plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan**,** the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Automatic Irrigation System: means a site-specific system of delivering water, generally for landscape irrigation, via a system of pipes or other conduits installed below ground that will automatically cycle water using landscape sprinklers according to a preset program, whether on a designated timer or through manual operation.

City Manager: The City Manager for the City of Glenn Heights.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by City of Glenn Heights.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Foundation watering: an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

(a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
(b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
(c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
(d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
(e) flushing gutters or permitting water to run or accumulate in any gutter or street;
(f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
(g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
(h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
(i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Plan: The drought contingency plan adopted by the City.

Recreational water use: Water used for leisure and entertainment purposes. Examples include but are not limited to swimming pools, Jacuzzi-type pools, water theme parks, wading pools and water toys.

Retail customers: Any water customer that receives water supply from the City water supply system.

Supplier: Dallas Water Utilities.

Trigger: A condition that would require certain operating conditions prescribed in the plan.

Section VIII: Criteria for Initiation and Termination of Drought Response Stages

1) The City Manager and his/her designee shall monitor water supply and/or demand conditions on a daily basis, or in conjunction with and upon written notice by the supplier, and shall determine when conditions warrant initiation or termination of each stage of the plan. Public notification of the response stages shall be by means of signs and posters in public places, and/or handouts or local media.
2) After implementation, the City Manager shall immediately notify the Mayor and City Council. Public notification shall be made by handouts, website postings, local news media, signs or posters in public places.
3) Once the authorization has been given, operations shall continue under the drought contingency plan, with progression from one stage to another as determined by the appropriate trigger conditions as notified by the supplier and executed by the City Manager or his/her designee. Operations may be returned to normal procedures once the trigger conditions have dissipated and by authorization of the City Manager. The Mayor and City Council will be notified immediately of the return to normal operations.
4) The triggering criteria described below are based on the following:
    a. Available water supplies from the supplier, Dallas Water Utilities:
        i. DWU determines the total raw water supply in connected lakes (east and west); or, (2) the western lakes; or, (3) the eastern lakes has dropped below 65% (35% depleted) of DWU's share of the total conservation storage of the lakes; or
        ii. Water demand has reached or exceeded 85% of delivery capacity for 4 consecutive days; or
        iii. Water demand approaches a reduced delivery capacity for all or part of the system, as determined by DWU; or
        iv. Natural or manmade contamination of the water supply source(s) occurs.
    b. Demand causes severe stress on water facilities;
    c. Equipment failure;
    d. Natural disaster; and/or
    e. Contamination of water supply.

Initiation of drought response stage.

1) The supplier and/or the City Manager or his/her designee may order the implementation of a drought response stage or water emergency when one or more of the trigger conditions for that stage is met. The following actions will be taken when a drought stage is initiated:
    a) The public will be notified through mail-outs, newsletters, website postings, posters, or the local newspaper.
    b) If any mandatory provisions of the drought contingency plan are activated, the City Manager will notify the executive director of the TCEQ within five (5) business days.
2) The supplier and/or the City Manager may decide not to order the implementation of a drought response stage or water emergency even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs.

Termination of drought stage.

1) The supplier and/or the City Manager or his/her designee may order the termination of a drought response stage or water emergency when the conditions for termination are met or at his/her discretion. The following actions will be taken when a drought stage is terminated:
   a) The public will be notified through mail-outs, newsletters, website postings, posters or the local newspaper.
   b) When any mandatory provisions of the drought contingency plan that have been activated or terminated, the City Manager will notify the executive director of the TCEQ within five (5) business days.
2) The supplier and/or City Manager may decide not to order the termination of a drought response stage or water emergency even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought stage.

Utilization of alternative water sources and/or alternative delivery mechanisms:

The City of Glenn Heights does not have an alternative water source or delivery mechanism.

Stage 1 Triggers

(A) Requirements for initiation

Customers shall be requested to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this plan when:

- Water demand has reached or exceeded 85% of delivery capacity for 4 consecutive days; or
- Water demand approaches a reduced delivery capacity for all or part of the system, as determined by the City of Glenn Heights; or
- Water line breaks or pump or system failures, which impact the ability of the City of Glenn Heights to provide treated water service; or
- Natural or man-made contamination of the water supply source(s) occurs; or
- Notification by DWU that Stage 1 of its plan has been activated.

(B) Requirements for termination

- Stage 1 may be terminated when Stage 1 conditions no longer exist and would be unlikely to recur upon termination.

Stage 2 Triggers

(A) Requirements for initiation

Customers shall be required to comply with requirements and restrictions on certain non-essential water uses provided in Section IX of this plan when:

- Any conditions from Stage 1; or
- Water demand has reached or exceeded 90% of delivery capacity for 3 consecutive days; or
- Water demand **equals** a reduced delivery capacity for all or part of the system, as determined by the City of Glenn Heights; or
- Water line breaks or pump or system failures occur, which impact the ability of the City of Glenn Heights to provide treated water service; or
- Natural or man-made contamination of the water supply source(s) occurs; or
- Notification by DWU that Stage 2 of its plan has been activated.

(B) Requirements for termination

- Stage 2 may be terminated when Stage 2 conditions no longer exist and would be unlikely to recur upon termination.

Stage 3 Trigger

Customers shall be required to comply with the requirements and mandatory restrictions on certain non-essential water uses provided in Section IX of this Plan when:

(A) Requirements for initiation

- Any conditions from Stage 1 and/or 2; or
- Water demand has reached or exceeded 95% of delivery capacity for 2 consecutive days; or
- Water demand exceeds a reduced delivery capacity for all or part of the system, as determined by the City of Glenn Heights; or
- Water line breaks or pump or system failures occur, which impact the ability of the City of Glenn Heights to provide treated water service; or
- Natural or man-made contamination of the water supply source(s) occurs; or
- Notification by DWU that Stage 3 of its plan has been activated.

(B) Requirements for termination

Stage 3 of the Plan may be terminated when the Stage 3 conditions no longer exist and would be unlikely to recur upon termination.

Section IX: Drought Response Stages

The City Manager or his/ her designee shall monitor water supply and/or demand conditions on a weekly basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine if conditions exist that would trigger any of the designated drought stages, and if so, shall implement the following actions:

Notification of executive director.
As required by the Texas Administrative Code, any mandatory restrictions adopted in this drought contingency plan require notification of the executive director of the TCEQ. Upon initiation of these restrictions, the City Manager shall notify the executive director within five (5) business days.

The City Manager or his/ her designee shall notify the public by means of:

- Public Service Announcements
- Signs Posted in Public Places
- City Website
- Billing Stuffers

Additional Notification:

The City Manager or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- Mayor and members of the City Council
- Fire Chief
- City and/or County Emergency Management Coordinator(s)
- State Disaster District / Department of Public Safety
- TCEQ (required when mandatory restrictions are imposed)
- Critical water users, i.e. hospitals
- Parks / street superintendents & public facilities managers

(1) Stage 1 Response

Upon written notification from DWU, that conditions exist and this level of the drought plan, including but not limited to the rationing of the water supply, has been initiated, the City shall implement the following:

Target: Achieve a 5 percent reduction in total gallons per capita per day (GPCD).

Water Use Restrictions for Demand Reduction:

Following is a menu of possible actions. Specific actions taken during any drought situation will be determined by the Director of the Water Department or Designee. The Director of the Water Department or Designee may also take other actions not listed, if deemed necessary.

All Water Users

Landscape Uses:

A. All water customers are reminded to observe all requirements of the Water Conservation Ordinance, as established in the City of Glenn Heights Chapter 13 Utilities, Article 13.03 Water Conservation and Drought Contingency Plan, which includes a **mandatory** maximum 2-days-per-week landscape watering schedule and require watering only during the allowed watering hours of 6:00 pm and 10:00 am as defined in Section VII.
B. Encourage reduction of water use through **voluntary** maximum 1-day-per-week landscape watering schedule.
C. Discourage planting of new landscapes, including lawns, hydro-seeding and sod.

Swimming Pools and Other Recreational Uses:

(A) Encourage reduction in frequency in draining and refilling of swimming pools.
(B) Prohibit recreational water usage, including the use of faucets, hoses or hydrants, which results in water run-off or other prohibited waste of water.

Foundations:

Foundations may be watered on any day of the week and at any time. Foundations may be watered with a drip irrigation system, soaker hose or a hand-held hose equipped with a positive shutoff nozzle.

Vehicle Washing:

Restrict washing of any motor vehicle, motorbike, boat, trailer, airplane or other vehicle to the use of a hand-held bucket or a hand-held hose equipped with a positive shut-off nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial vehicle wash facility or commercial service station. Companies with an automated on-site vehicle washing facility may wash vehicles at any time.

City Government:

(A) Initiate public education campaign teaching and encouraging reduced water use practices.
(B) Intensify normal leak detection and repair activities on water pipes and mains.
(C) Require reduction of water use through mandatory maximum twice weekly landscape watering schedule for city parks.
(D) Encourage reduction of water use in city-owned ornamental fountains.
(E) Encourage additional reduction in landscape uses for parks.
(F) Encourage 25 percent reduction in frequency of and city vehicle washing and rinsing.
(G) Increase enforcement efforts through proactive code enforcement.

Commercial Customers:

(A) Identify and encourage voluntary reduction measures by high-volume water users through water use audits.
(B) Require reduction of water use through mandatory maximum twice weekly landscape watering schedule for private parks.
(C) Encourage additional reduction in landscape uses for parks.
(D) Encourage reduction in water use for landscape nursery stock.
(E) Encourage area restaurants to serve customers water by request only.

(2) Stage 2 Response

Upon written notification from DWU that conditions exist and this level of the drought plan, including but not limited to the rationing of the water supply, has been initiated, the City shall implement the following:

Target: Achieve a 15 percent reduction in total gallons per capita per day (GPCD).

Water Use Restrictions for Demand Reduction:

Following is a menu of possible actions. Specific actions taken during any drought situation will be determined by the Director of the Water Department. The Director of the Water Department may also take other actions not listed, if deemed necessary. All requirements of Stage 1 shall remain in effect during Stage 2, and the following additional measures will be required:

All Water Users:

Landscape Uses:

(A) All water customers are reminded to observe all requirements of the Water Conservation Ordinance, as established in the City of Glenn Heights Chapter 13 Utilities, Article 13.03 Water Conservation and Drought Contingency Plan Additionally, Irrigation of landscaped areas with hose-end or automatic sprinklers shall be limited to Monday, Wednesday and Friday with even-numbered houses and Tuesday, Thursday and Saturday with odd-numbered houses and further limited to the hours of 6:00 p.m. to 6:00 a.m. Watering is permitted at any time if it is by means of a hand-held hose or a faucet-filled bucket;

Swimming Pools and Other Recreational Uses:

(A) Use of water to fill, refill or add to swimming pools or Jacuzzi-type pools is prohibited except on watering days from 6:00 p.m. to 6:00 a.m.

(B) Continue to prohibit recreational water usage, including the use of faucets, hoses or hydrants, which results in water run-off or other prohibited waste of water.

Foundations:

Foundations may be watered on any day of the week and at any time. Foundations may be watered with a drip irrigation system, soaker hose or a hand-held hose equipped with a positive shut-off nozzle.

Vehicle Washing:

Restrict washing of any motor vehicle, motorbike, boat, trailer, airplane or other vehicle to the use of a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial vehicle wash facility or commercial service station. Companies with an automated on-site vehicle washing facility may wash vehicles at any time.

City Government:

(A) Initiate engineering studies to evaluate alternatives to mitigate drought conditions should conditions worsen.
(B) Accelerate public education campaign teaching and encouraging reduced water use practices.
(C) Continue intensified leak detection and repair activities on water pipes and mains.
(D) Prohibit flushing of new mains not immediately required to provide service.
(E) City government restricted to mandatory maximum once weekly landscape watering schedule.
(F) Require reduction of water use through mandatory once weekly landscape watering schedule for city parks.
(G) Prohibit operation of city-owned ornamental fountains and water features.
(H) Reduce frequency of city vehicle washing or rinsing by 50 percent.
(I) Increase enforcement efforts through proactive code enforcement.

Commercial Customers:

Require reduction of water use through mandatory maximum once weekly landscape watering schedule for private parks.

(3) Stage 3 Response

Upon written notification from DWU, that conditions exist and this level of the drought plan, including but not limited to the rationing of the water supply, has been initiated, the City shall implement the following:

Target: Achieve a 20 percent reduction in total gallons per capita per day (GPCD).

Water Use Restrictions for Reducing Demand:

Following is a menu of possible actions. Specific actions taken during any drought situation will be determined by the Director of the Water Department. The Director of the Water Department may also take other actions not listed, if deemed necessary. All requirements of Stages 1 and 2 shall remain in effect during Stage 3, and the following additional measures will be required:

All Water Users

Landscape Uses:

(A) All water customers are reminded to observe all requirements of the Water Conservation Ordinance, as established in the City of Glenn Heights Chapter 13 Utilities, Article 13.03 Water Conservation and Drought Contingency Plan Irrigation of landscaped areas shall be limited to one (1) day every seven (7) days between the hours of 6:00 a.m. [to] 10:00 a.m. and 6:00 p.m. to 12:00 a.m. - hose-end or hand-held devices shall be limited to these same hours. Even-numbered houses shall be allowed to water on Tuesday and odd-numbered houses shall be allowed to water on Thursday. (Exceptions: foundations and new plantings (first year) of trees and shrubs may be watered for up to (two) 2 hours during off-peak hours on the watering schedule by a hand-held hose or a soaker hose. Golf courses may water greens and tee boxes without restrictions. Restrictions do not apply to locations using treated wastewater effluents for irrigation.) Requires notification to TCEQ;
(B) Installation of new landscapes or turf areas is prohibited.
(C) Operation of any water feature, ornamental fountain or pond that uses potable water is prohibited except where supporting aquatic life or water quality.

Swimming Pools and Other Recreational Uses:

(A) Prohibit the filling, draining and refilling of existing swimming pools, wading pools, Jacuzzi and hot tubs except to maintain structural integrity, proper operation and maintenance or alleviate a public safety risk. Existing pools may add water to replace losses from normal use and evaporation.
(B) Permitting of new swimming pools, wading pools, water features, Jacuzzi and hot tubs is prohibited.
(C) Continue to prohibit recreational water usage, including the use of faucets, hoses or hydrants, which results in water run-off or other prohibited waste of water.

Foundations:

Foundations may be watered one day per week on the Stage 2 watering schedule within the permitted watering hours. Foundations may be watered with a drip irrigation system, soaker hose or a hand-held hose equipped with a positive shutoff nozzle. Water run-off is absolutely prohibited.

Vehicle washing:

Use of water to wash any motor vehicle, motorbike, boat, trailer or other vehicle not occurring on the premises of a commercial vehicle wash facility or commercial service stations is prohibited. Companies with an automated on-site vehicle washing facility may wash its vehicles at any time. Further, such washing may be exempt from these requirements if the health, safety and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and commercial vehicles used to transport food and perishables.

Impervious surface cleaning:

Hosing and washing of paved areas, buildings, structures, windows or other surfaces is prohibited except by variance

High Demand Surcharge:

(A) Residential Customers A 50 percent rate increase for high water demand users (greater than 15,000 gallons per month per account) shall be initiated to discourage non-essential use.
(B) Commercial Customers A 50 percent rate increase for high water demand users (greater than 10,000 gallons and 1.4 times annual average monthly usage per account) shall be initiated to discourage non-essential use.

New Service:

No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

City Government:

(A) City vehicle washing or rinsing is prohibited except for reasons of public health, safety and welfare.

Commercial Customers:

Watering of Private parks is prohibited. watering hours as defined in Section VII; unless the Private park uses a water source other than that provided by the City.

Section X: Enforcement

(A) No person shall knowingly or intentionally allow the use of water from the City for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the City Manager or his/her designee, in accordance with provisions of this plan.

(B) Any person who violates this plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than two hundred and fifty dollars ($250.00) and not more than two thousand dollars ($2,000.00). Each day that one or more of the provisions in this plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this plan, the City Manager or his/her designee shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge, hereby established at one hundred and fifty dollars ($150.00), and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the City that the same action shall not be repeated while the plan is in effect.

(C) Any person, including a person classified as a water customer of the City, who is in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation. but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

(D) The Chief of Police or his/her designee or other City employees designated by the City Manager or his/her designee may issue a citation to a person he/she reasonably believes to be in violation of this article. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the city municipal court on the date shown on the citation for which the date shall not be less than three (3) days nor more than fifteen (15) days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over fourteen (14) years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in city municipal court to enter a plea of guilty or not guilty for the violation of this plan. If the alleged violator fails to appear in city municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in the city municipal court before all other cases.

Section XI: Variances

(A) The City Manager or his/her designee may, in writing, grant a temporary variance for existing water uses otherwise prohibited under this plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or of the person requesting such variance, and if one or more of the following conditions are met:

1. Granting of a variance must not cause an immediate significant reduction in the city's water supply.
2. The health, safety, or welfare of other persons will not be adversely affected by granting of the variance.
3. The applicant must demonstrate that the extreme hardship or need is related to the health, safety, or welfare of the person requesting it.
4. Compliance with this plan cannot be technically accomplished for the duration of the water supply shortage or other condition for which the plan is in effect; and/or
5. Alternative methods can be implemented which will achieve the same level of reduction in water use.

(B) Persons requesting an exemption from the provisions of this article shall file a written petition for variance with the City within five (5) days after the plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager or his/her designee until such time that the matter can be considered by the City Council. A decision by the City Council shall be final.

(C) The petition for variance must be in writing and include the following information:

1. Name and address of the petitioner(s);
2. Purpose of water use;
3. Specific provision(s) of the plan from which the petitioner is requesting relief;
4. Detailed statement as to how the specific provision of the plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this article;
5. Description of the relief requested;
6. Period of time for which the variance is sought;
7. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this plan and the compliance date; and
8. Other pertinent information.

(D) Variances granted by the City shall be subject to the following conditions, unless waived or modified by the City Council:

a. A timetable for compliance; or
b. Expiration when the plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

(E) No variance shall be retroactive or otherwise justify a violation of the plan occurring prior to the issuance of the variance.

Section XII:Review and Update of Drought Contingency Plan.

The City shall review and update, as appropriate, the drought contingency plan, at least every five (5) years, based on new and updated information, such as the adoption and revision of the regional water plan.

Section XIII: Severability

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

AGENDA SUMMARY SHEET
June 4, 2024

CONSENT AGENDA, ITEM 4

Discuss and take action to approve Ordinance O-11-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, regarding a request by DJ Jarratt on behalf of Rolke Greenhouse, amending the Comprehensive Zoning Ordinance, plan and map of the City of Glenn Heights, Texas, as amended by granting a change in zoning for an approximate 1.185-acre tract of land located at 1932 South Hampton Road, City of Glenn Heights, Dallas County, Texas, from Single Family Residential (SF-1) to Commercial (C). (Second Reading) (Parviz Pourazizian, Director of Planning and Development Services)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS

ORDINANCE NO. O-11-24

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, PLAN AND MAP OF THE CITY OF GLENN HEIGHTS, TEXAS, AS AMENDED, BY GRANTING A CHANGE IN ZONING FOR AN APPROXIMATELY 1.185-ACRE TRACT OF LAND LOCATED AT 1932 SOUTH HAMPTON ROAD, CITY OF GLENN HEIGHTS, DALLAS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," FROM SINGLE-FAMILY RESIDENTIAL-1 (SF-1) TO COMMERCIAL (C); PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission of the City of Glenn Heights and the City Council of the City of Glenn Heights, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Glenn Heights is of the opinion and finds that a zoning change should be granted, and that the Comprehensive Zoning Ordinance, Plan and Map should be amended.

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

SECTION 1: The Comprehensive Zoning Ordinance, Plan and Map of the City of Glenn Heights, Texas, as heretofore amended, be and the same are hereby amended by granting a change in zoning from Single-Family Residential-1 (SF-1) to Commercial (C) on an approximately 1.185-acre tract of land located at 1932 South Hampton Road, City of Glenn Heights, Dallas County, Texas, and being more particularly described in Exhibit "A" attached hereto (hereinafter, the "Property").

SECTION 2: All provisions of the Ordinances of the City of Glenn Heights, Texas, in conflict with the provisions of this ordinance as applicable to the Property be and are hereby repealed and all other provisions of the ordinances of the City of Glenn Heights, Texas, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3: An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 4: Should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5: Any person, firm, or corporation violating any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to a penalty by fine not to exceed two thousand dollars ($2,000.00) for each offense, and each and every day such violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6: This ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Glenn Heights, Texas this 4th day of June 2024.

APPROVED:

_____
SONJA A. BROWN, MAYOR

ATTEST:

_____
Brandi Brown, City Secretary

APPROVED AS TO FORM:

_____
David M. Berman, City Attorney

Exhibit "A”
[Survey including legal description]

Graphic Scale in Feet

0 20' 40' 60'

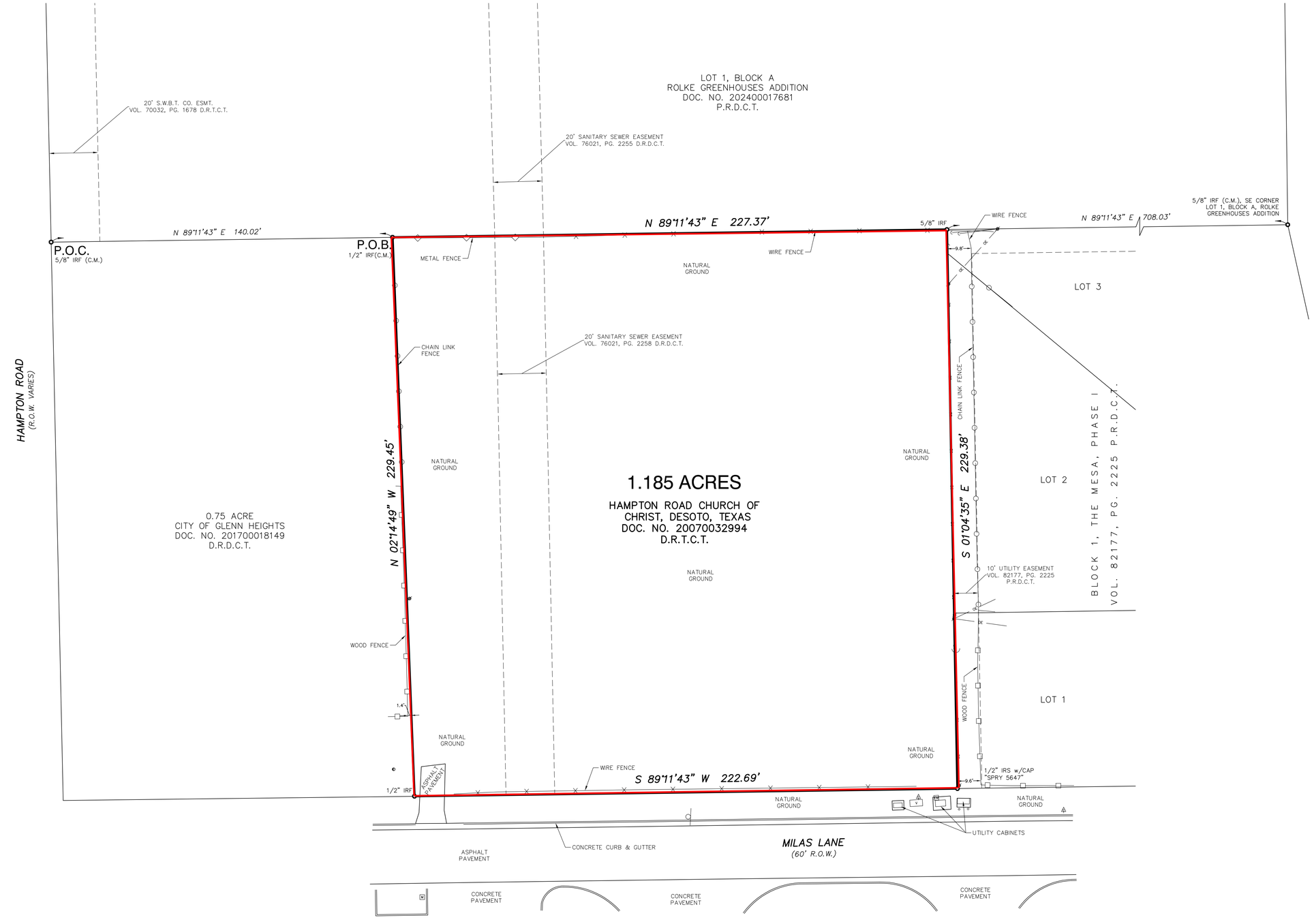
SCALE: 1"=20'

LEGEND

- BOUNDARY CORNER
- POWER POLE
- GUY WIRE
- POWER POLE WITH LIGHT
- ELECTRICAL METER
- UNDERGROUND COMMUNICATION MARKER
- COMMUNICATION VAULT
- CLEAN OUT
- SIGN
- BOLLARD
- MAIL BOX

LINETYPES

- OVERHEAD UTILITY LINE
- WIRE FENCE
- WOOD FENCE
- CHAIN LINK FENCE
- WROUGHT IRON FENCE



METES AND BOUNDS DESCRIPTION
1.185 ACRES
IN THE S. CLARK SURVEY, A-249
CITY OF GLENN HEIGHTS, DALLAS COUNTY, TEXAS

All that certain 1.185 acres of land, which is the property described in the deed to Hampton Road Church of Christ, Desoto, Texas, recorded in Document Number 20070032994 in the Deed Records of Dallas County, Texas (D.R.D.C.T.), in the S. Clark Survey, A-249, City of Glenn Heights, Dallas County, Texas and more particularly described by metes and bounds as follows: (All bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone)

Commencing at a 5/8" iron rod found for the southwest corner of Lot 1, Block A, Rolke Greenhouses Addition, recorded in Document Number 202400017681, in the Plat Records of Dallas County, Texas (P.R.D.C.T.), common to the northwest corner of the 0.75 acre tract described in the deed to City of Glenn Heights, recorded in Document Number 201700018149, D.R.D.C.T., in the east right-of-way line of Hampton Road (right-of-way varies), then North 89° 11' 43" East – 140.02' along the south line of said Lot 1, Block A, Rolke Greenhouses Addition, a 1/2" iron rod found for the POINT OF BEGINNING and the northwest corner of the herein described tract, common to the northeast corner of said 0.75 acre tract;

THENCE North 89° 11' 43" East – 227.37' along the south line of said Lot 1, Block A, Rolke Greenhouses Addition, to a 5/8" iron rod found for the northeast corner of the herein described tract, common to the northwest corner of Lot 3, Block 1, The Mesa, recorded in Volume 82177, Page 2225, P.R.D.C.T., and from which a 5/8" iron rod found for the southeast corner of said Lot 1, Block A, Rolke Addition bears North 89° 11' 43" East – 708.03' ;

THENCE South 01° 04' 35" East – 229.38' to a 1/2" iron rod with a cap stamped "SPRY 5647" set for the southeast corner of the herein described tract, common to the southwest corner of Lot 1, Block 1, The Mesa, and in the north right-of-way line of Milas Lane (a 60' right-of-way);

THENCE South 89° 11' 43" West – 222.69' along the north right-of-way line of said Milas Lane, to a 1/2" iron rod found for the southwest corner of the herein described tract, common to the southeast corner of said 0.75 acre tract;

THENCE North 02° 14' 49" West – 229.45' to the POINT OF BEGINNING and containing 1.185 acres of land.

NOTES

1. This Land Title Survey is issued in conjunction with the Commitment for Title Insurance, prepared by Chicago Title Insurance Company, Inc., G.F. No. CTCP87-8000872301148, effective date: January 29, 2024. This Land Title Survey reflects the easements and building lines along with other documented restrictions, of record which have been reported to this Surveyor in Schedule "B" of said Commitment for Title Insurance. Surveyor has performed no additional research for documented restrictions to the land.

2. All bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone.

3. According to the Flood Insurance Rate Map No. 48113C0640K, published by the Federal Emergency Management Agency, dated: July 7, 2014, the surveyed property shown hereon does not lie within any special flood hazard area inundated by the 100-year flood.

The Surveyor has not physically located any underground utilities and/or improvements which may be located under or near the subject property.

Certified to: Ed Ruibal, Hampton Road Church of Christ, Desoto, Texas, and Chicago Title Insurance Company

I certify that this survey was made on the ground, that this plat correctly represents the facts found at the time of survey, and that this professional service substantially conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 2, Survey.

STATE OF TEXAS
REGISTERED
DAVID CARLTON LEWIS
5647
PROFESSIONAL LAND SURVEYOR

February 12, 2024
CERTIFICATE DATE

DAVID CARLTON LEWIS, R.P.L.S. NO. 5647

DATE	REVISION NOTES

SPRY SURVEYORS
8241 Mid-Cities Blvd., Suite 102 • North Richland Hills, TX 76182
Firm Reg. No. 10112000 • PH: 817.776.4049 • spry@sprysurveyors.com • www.sprysurveyors.com

LAND TITLE SURVEY
1.185 ACRES
1932 S. HAMPTON ROAD
IN THE AS. CLARK SURVEY, A-249
CITY OF GLENN HEIGHTS, DALLAS COUNTY, TEXAS

ORIGINAL ISSUE DATE: 02/15/2024	SCALE: 1"=20'	PROJECT NO.: 016-026-10

Feb 15, 2024 - 6:40pm
C:\Users\David Lewis\Spry Surveyors, LLC\Spry Surveyors - Documents\projects\016 Commercial Platting Misc\016-026 1908 & 1926 S. Hampton - Glen Heights\10-LTS\ spry-1932 S Hampton Rd.DWG

AGENDA SUMMARY SHEET
June 4, 2024

CONSENT AGENDA, ITEM 5

Discuss and take action to approve Ordinance O-12-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, regarding a request by Mike Collins on behalf of Bloomfield Homes, amending Ordinance O-06-23, to amend the Planned Development Zoning Regulations, and to amend the City's Comprehensive Zoning Ordinance, plan and map, for a 44.39 +/- acre tract of land generally located to the east of South Westmoreland Road, the south of the Meadow Springs Neighborhood, and to the west of South Hampton Road and Tope of the Hill Farms Neighborhood in the City of Glenn Heights, Dallas County, Texas and providing for an increase in density for residential lots from 75 to 80 and a revised concept plan with addition and revised project amenities. (Second Reading) (Parviz Pourazizian, Director of Planning and Development Services)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

Maplewood - South

Parviz Pourazizian, Director of development services

April 22, 2024

Public hearing to discuss and consider making a recommendation to City Council regarding amending Ordinance O-06-23, to amend the Planned Development Zoning Regulations, and to amend the City's Comprehensive Zoning Ordinance, plan and map, for a 44.39 +/- acre tract of land generally located to the east of South Westmoreland Road, the south of the Meadow Springs Neighborhood, and to the west of South Hampton Road and Top of the Hill Farms Neighborhood in the City of Glenn Heights, Dallas County, Texas and providing for an increase in density for residential lots from 75 to 80 and a revised concept plan with addition and revised project amenities.

Amendment Request

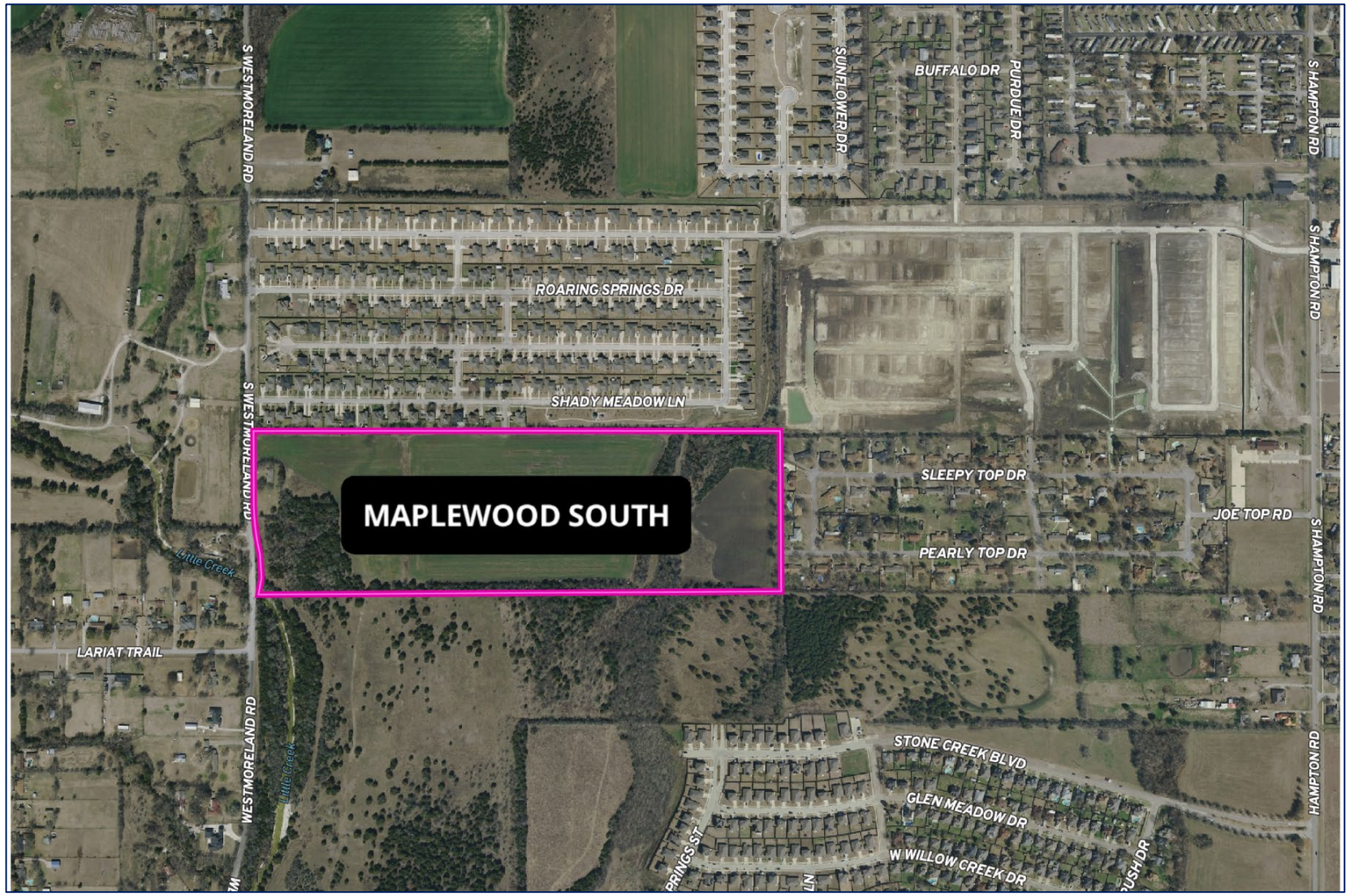
Applicant: Mike Collins, on behalf of Bloomfield Homes

Location: East of S. Westmoreland Rd., South of Meadow Springs Neighborhood, West of South Hampton Rd., and Top of The Hill Farms Neighborhood.

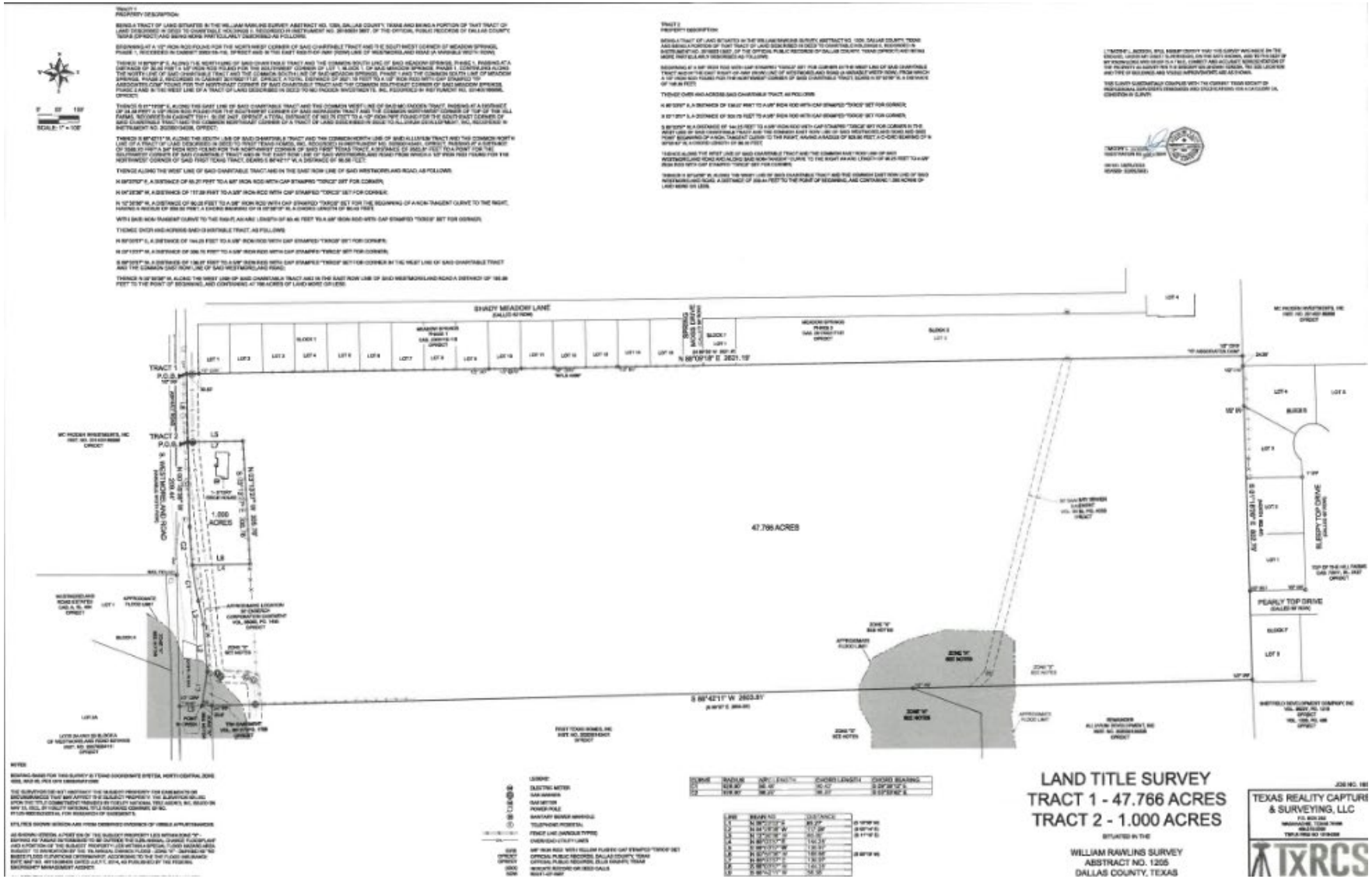
Request: Amendment to PD-28

Current Zoning: PD-28

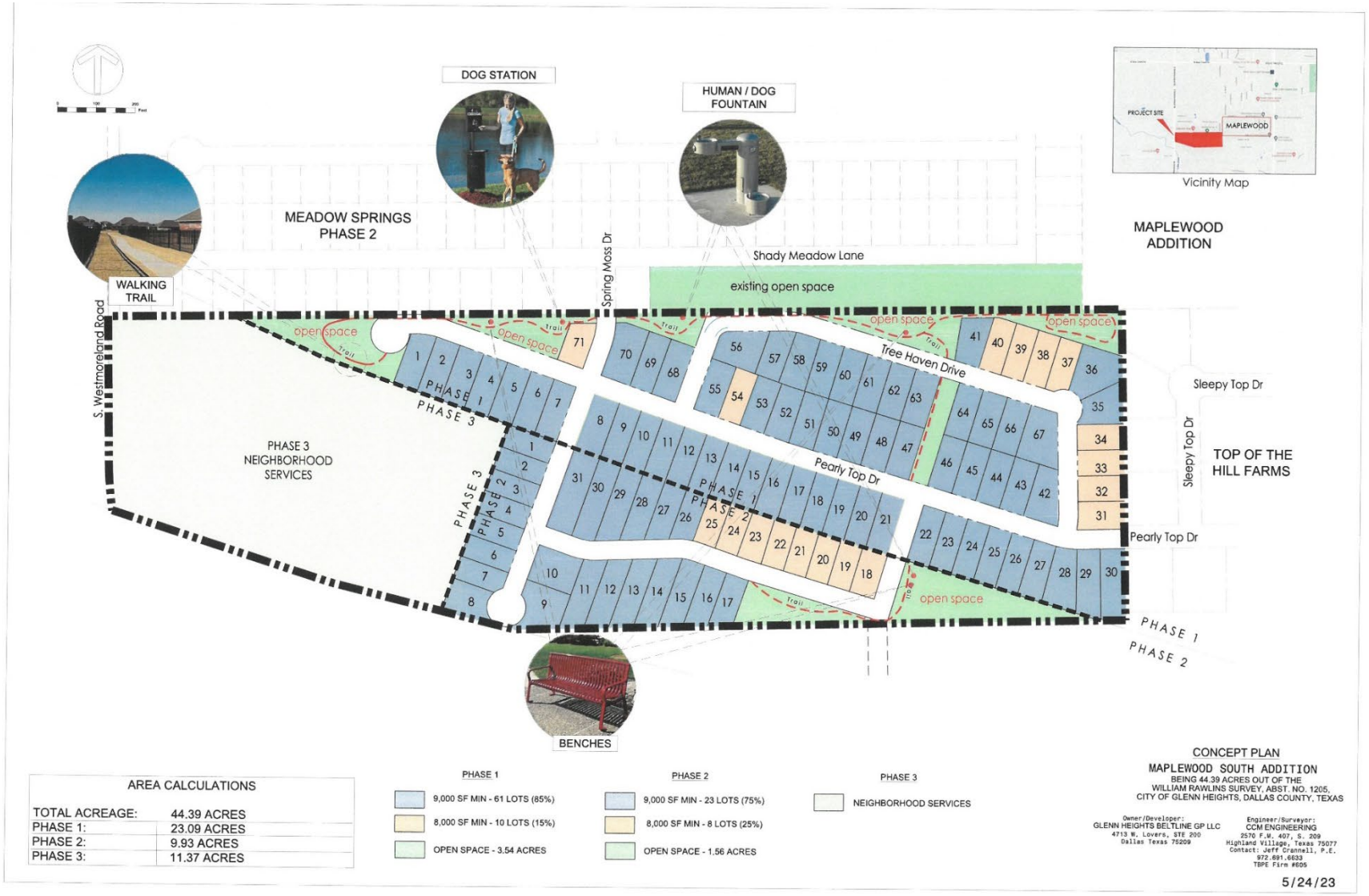
Location Map



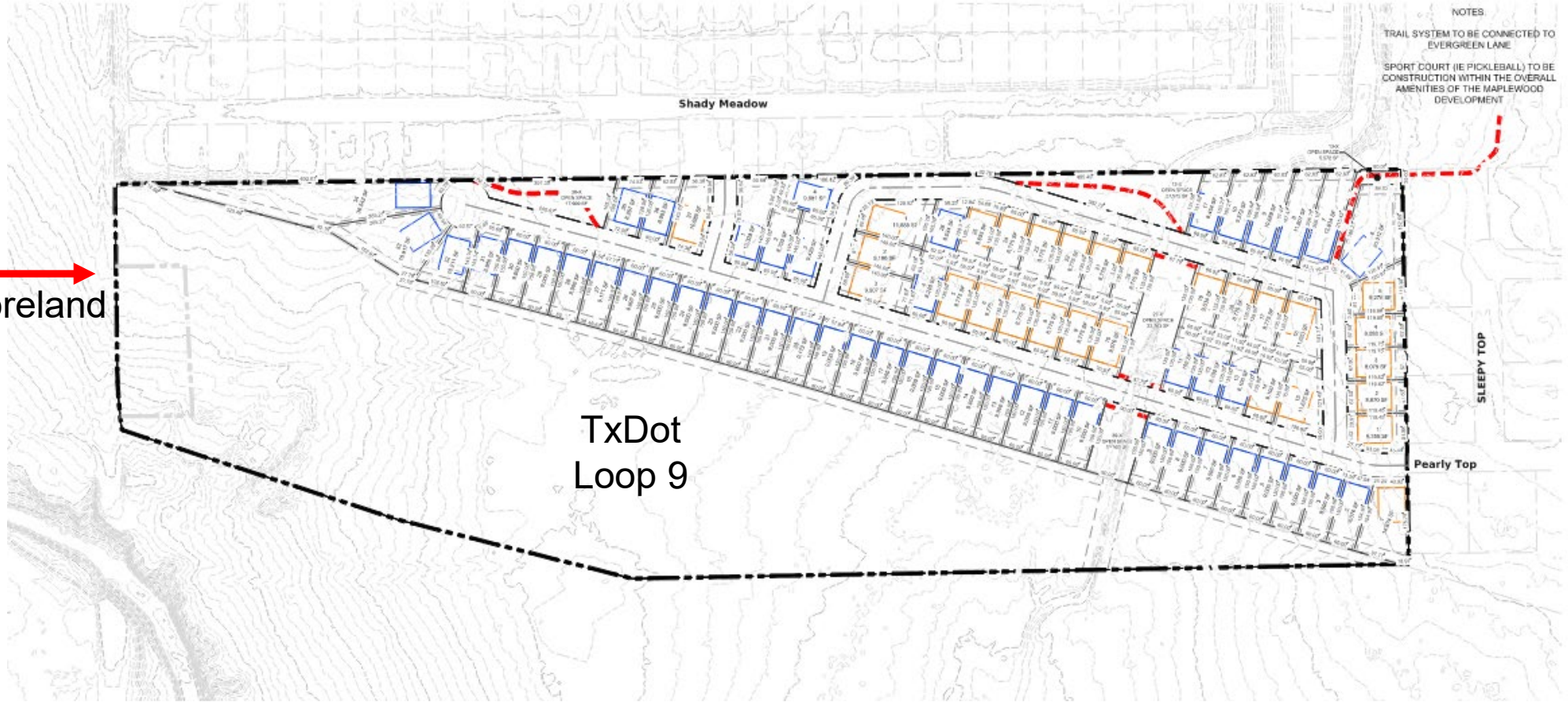
Survey: Planned Development-28



Original Proposed Site Plan: PD-28



New Proposed Concept Plan: PD-28



S. Westmoreland Rd.

RECOMMENDATION

- Staff recommends approval of an Amendment Change for PD-28.

QUESTIONS

COMMENTS

Maplewood - South

Glenn Heights, TX

BLOOMFIELD HOMES
... Making Dreams Come True

Maplewood - South

BLOOMFIELD HOMES
... Making Dreams Come True

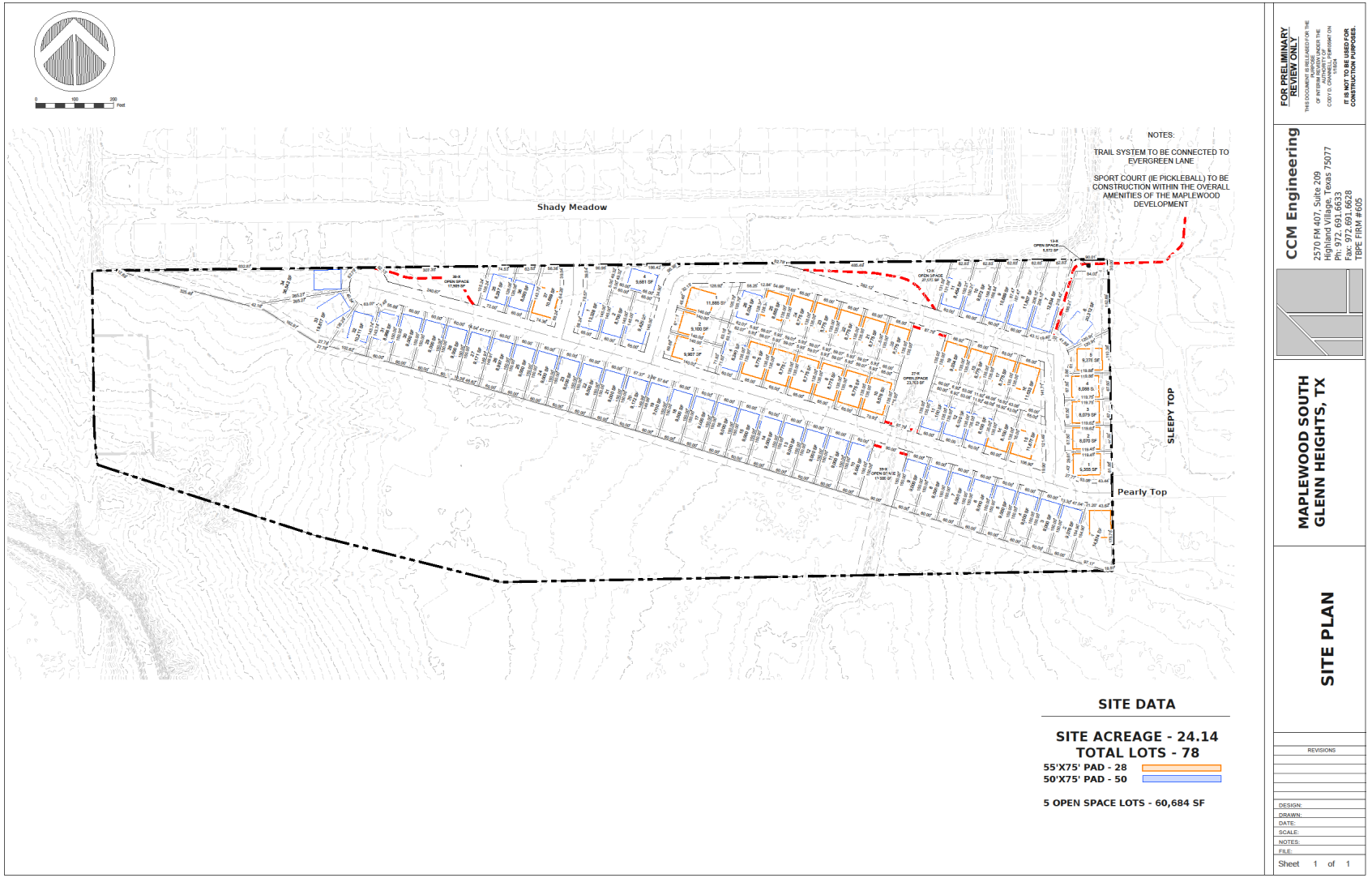
Glenn Heights, TX

Maplewood - South

Development Summary

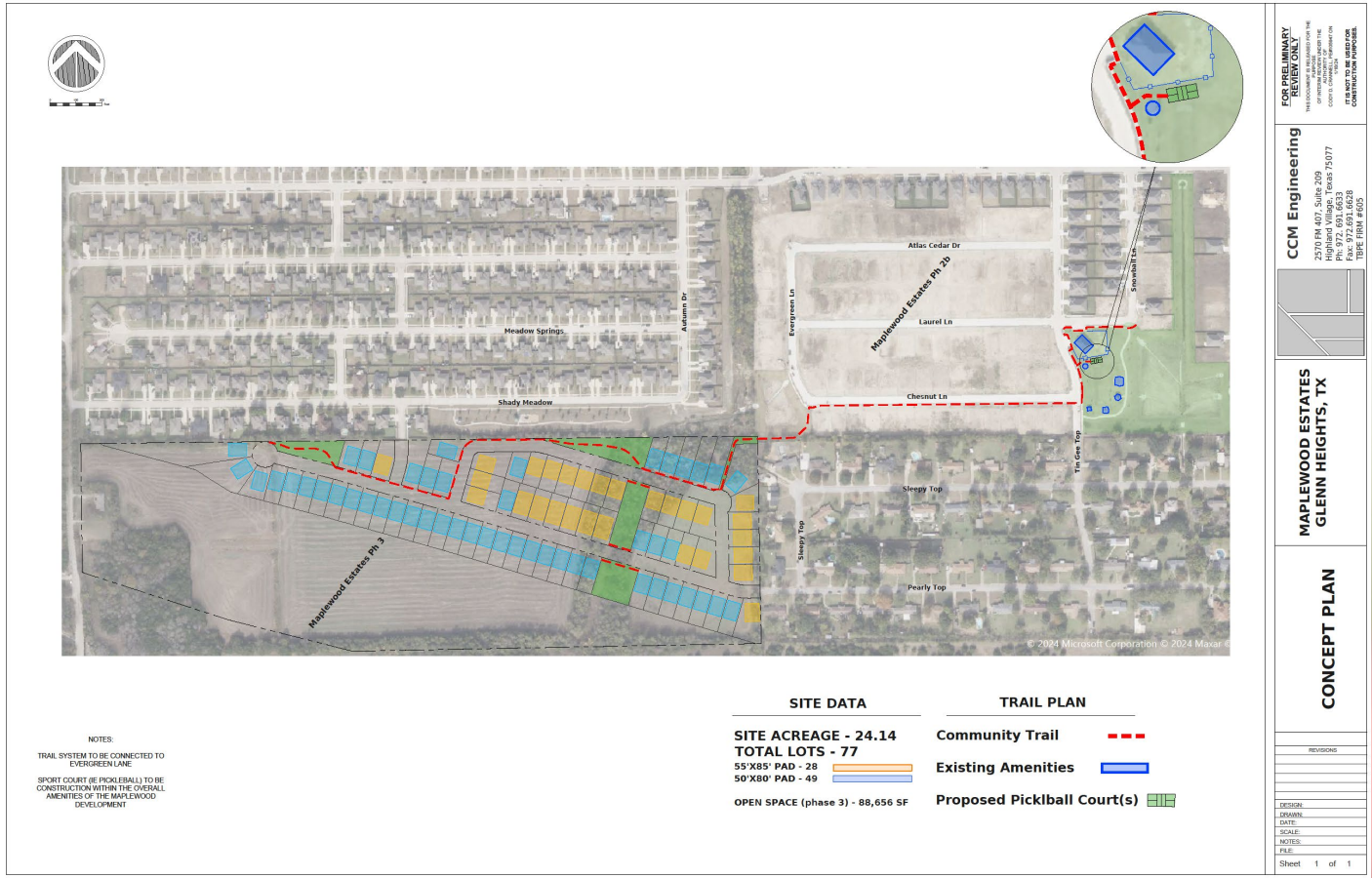
- Seeking amendments to PD-28 that effect lot count, open space, trail alignment
- Create 78 lot subdivision with varied lot widths/sizes – Av. 9,627 s.f.
  41% over between 8,000 and 8,999 s.f./59% over 9,000 s.f.
- Quality Architectural Standards
  - Minimum 3 front elevations per plan
  - No repeat of same plan and elevation within 4 lots
  - Quality materials, innovative designs, enhanced doors and lighting, varied window sizes and use of dormers or gables, fencing, landscape, irrigation
- Garage Orientation – front entry and j-swing, 2 and 3 car garage
- Creates strong architectural appeal in a custom feel neighborhood
- As developer and builder – we do what we say we will
- Working with current homeowner board members - Intent is to annex new phase into current Maplewood HOA-Share all amenities
- Realigned trail system to connect into existing Maplewood neighborhood
- Construct two (2) outdoor pickleball courts within 6-acre Amenity Center site

Maplewood - South



Maplewood - South

Site Plan



Maplewood - South

Space for Pickleball Court

Maplewood - South

Product Exterior Elevations and Attributes

- Covered front porches & balconies
- Unique stone and brick exteriors
- Variation of street elevations & plans

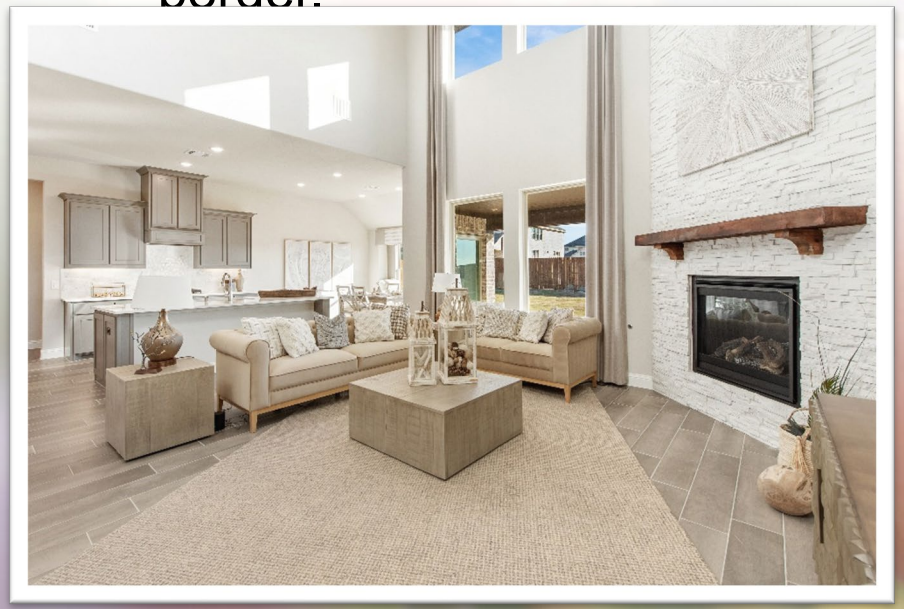
Maplewood - South

Classic Series

Maplewood - South

Features

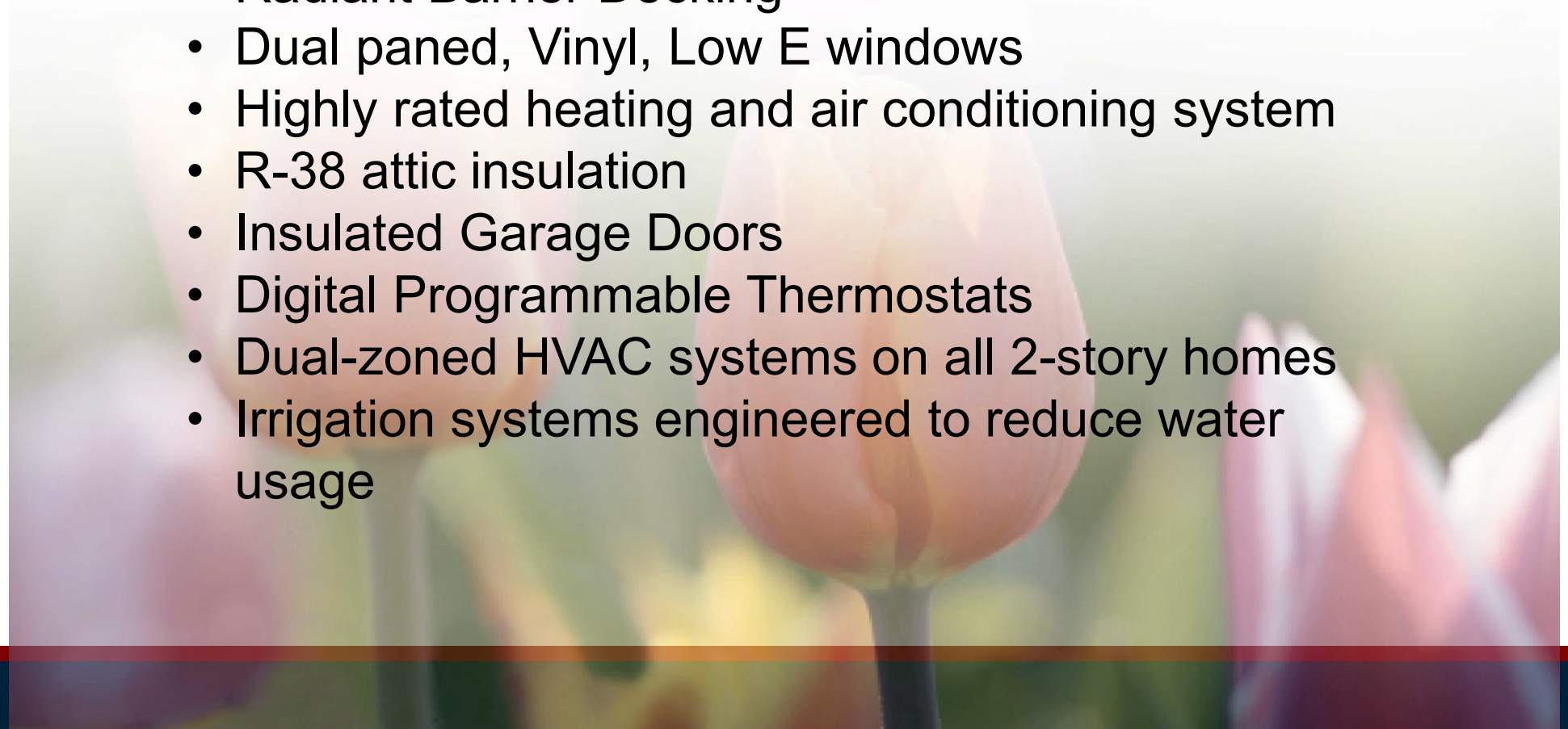
- Architecturally unique interior living spaces.
- Open, flowing plans.
- Dramatic windows allow an abundance of natural light.
- Completely sodded yard, irrigation, and landscaping with stone border.



Maplewood - South

Energy Efficiency

- LED Lighting
- Radiant Barrier Decking
- Dual paned, Vinyl, Low E windows
- Highly rated heating and air conditioning system
- R-38 attic insulation
- Insulated Garage Doors
- Digital Programmable Thermostats
- Dual-zoned HVAC systems on all 2-story homes
- Irrigation systems engineered to reduce water usage



Maplewood - South

All-Included

- Designer kitchens with granite counters and stainless appliances.
- Energy efficient features including:
  - LED lighting, radiant barrier roof decking, insulated garage doors, and much more.
- Custom 42” wood cabinets.
- Enhanced wireless connectivity throughout the house.
- Architectural shingles with a limited lifetime warranty.
- Wireless security system with coach lights standard for added security.

Maplewood - South

Summary

- Beautiful homes
- Approximately $33,000,000 in additional tax base
- Approximately $100,000 in sales tax to city
- Residential development completed as a single phase

BLOOMFIELD HOMES
... Making Dreams Come True

Maplewood - South

Glenn Heights, TX

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS

ORDINANCE NO. O-12-24

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING ORDINANCE O-06-23, TO AMEND THE PLANNED DEVELOPMENT ZONING REGULATIONS, AND TO AMEND THE CITY'S COMPREHENSIVE ZONING ORDINANCE, PLAN AND MAP, FOR A 44.39+/- ACRE TRACT OF LAND GENERALLY LOCATED TO THE EAST OF SOUTH WESTMORELAND ROAD, THE SOUTH OF THE MEADOW SPRINGS NEIGHBORHOOD AND TO THE WEST OF SOUTH HAMPTON ROAD AND TOP OF THE HILL FARMS NEIGHBORHOOD IN THE CITY OF GLENN HEIGHTS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," PROVIDING FOR AN INCREASE IN DENSITY FOR RESIDENTIAL LOTS FROM 75 TO 80 AND A REVISED CONCEPT PLAN WITH ADDITIONAL AND REVISED PROJECT AMENITIES; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission of the City of Glenn Heights and the City Council of the City of Glenn Heights, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Glenn Heights is of the opinion and finds that a zoning change should be granted, and that the Comprehensive Zoning Ordinance, Plan and Map should be amended.

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

SECTION 1: The Comprehensive Zoning Ordinance, Plan and Map of the City of Glenn Heights, Texas, as heretofore amended, and Ordinance No. O-06-23, adopted by the City Council on or about July 11, 2023, be and the same are hereby amended by amending Exhibit "B" ("Conditions for Planned Development") to Ordinance No. O-06-23 to amend article II ("Special Conditions") and article II ("Maintenance of the Common Area/Open Space/Trail"), without amendment, revision or repeal of any other part or provision of Exhibit "B," such that articles II and II of Exhibit "B" to Ordinance No. O-06-23 shall henceforth read as follows:

"**EXHIBIT "B"**

CONDITIONS FOR PLANNED DEVELOPMENT
ZONING CASE No. RZ-002-2023

. . .

II. SPECIAL CONDITIONS:

A. Maximum number of residential lots not to exceed 80 lots in Phase 1 and 35 lots in Phase 2.
B. Key lots are defined as a corner lot which is backing up to an abutting side yard.
C. Three-tab roofing shall not be permitted.
D. No alleys shall be required within the Planned Development, and all homes shall be front entry.
E. Lots which back or side onto park land shall provide a decorative metal fence of uniform design to be installed by the homebuilder.

III. MAINTENANCE OF THE COMMON AREA/OPEN SPACE/TRAIL:

A. Maintenance of the park/common areas will be the responsibility of the homeowners' association (HOA).
B. Bloomfield Homes as Declarant of the Maplewood Homeowners Association will approve an amendment to the Declaratory Covenants, Conditions, and Restrictions for the Maplewood Homeowners Association to annex Maplewood South. All members of the Maplewood Homeowner's Association will have use of the amenities in Maplewood and Maplewood South.
C. Located within the open space in Phase 1, a trail system approximately 1,600 linear feet will be constructed by the Developer, with park benches, dog stations, and trash cans. A trail system will also be installed in Phase 2, with park benches, dog stations, and trash cans.
D. The trail system described in C. will connect into a trail system built within Block G, Lot 42X of Maplewood Phase 2B and connecting with Block C, Lot 42X of Maplewood Phase 2A. The amenity center and 6-acre open space is located within Block C, Lot 42X. Within this open space, the Developer will install two (2) outdoor pickleball courts.
E. Developer will be the contact entity with the City for all concerns regarding maintenance of park and open space until 100% control of the Homeowners Association has been turned over to the residents. The responsibilities of amenities include:
    1. Clean up and litter removal.
    2. Landscaping installation, care, and maintenance.
    3. Trimming, clearing, and removal of unwanted vegetation.
    4. Maintain irrigation system, pay for the water used in the system.
    5. Maintain benches, concrete trail, and any other installed improvements.

. . ."

SECTION 2: The Comprehensive Zoning Ordinance, Plan and Map of the City of Glenn Heights, Texas, as heretofore amended, and Ordinance No. O-06-23, adopted by the City Council

on or about July 11, 2023, be and the same are hereby amended by amending Exhibit "C" ("Concept Plan") to Ordinance No. O-06-23 to replace Exhibit "C" with the revised Concept Plan attached hereto as Exhibit "A."

SECTION 3: All provisions of Ordinance No. O-06-23, and of the Ordinances of the City of Glenn Heights, Texas, in conflict with the provisions of this ordinance as applicable to the Property be and are hereby repealed and all other provisions of Ordinance No. O-06-23, and of the ordinances of the City of Glenn Heights, Texas, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 5: Should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 6: Any person, firm, or corporation violating any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to a penalty by fine not to exceed two thousand dollars ($2,000.00) for each offense, and each and every day such violation continues or is allowed to exist shall constitute a separate offense.

SECTION 7: This ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Glenn Heights, Texas this 4th day of June 2024.

APPROVED:

_____
SONJA A. BROWN, MAYOR

ATTEST:

_____
Brandi Brown, City Secretary

APPROVED AS TO FORM:

_____
David M. Berman, City Attorney

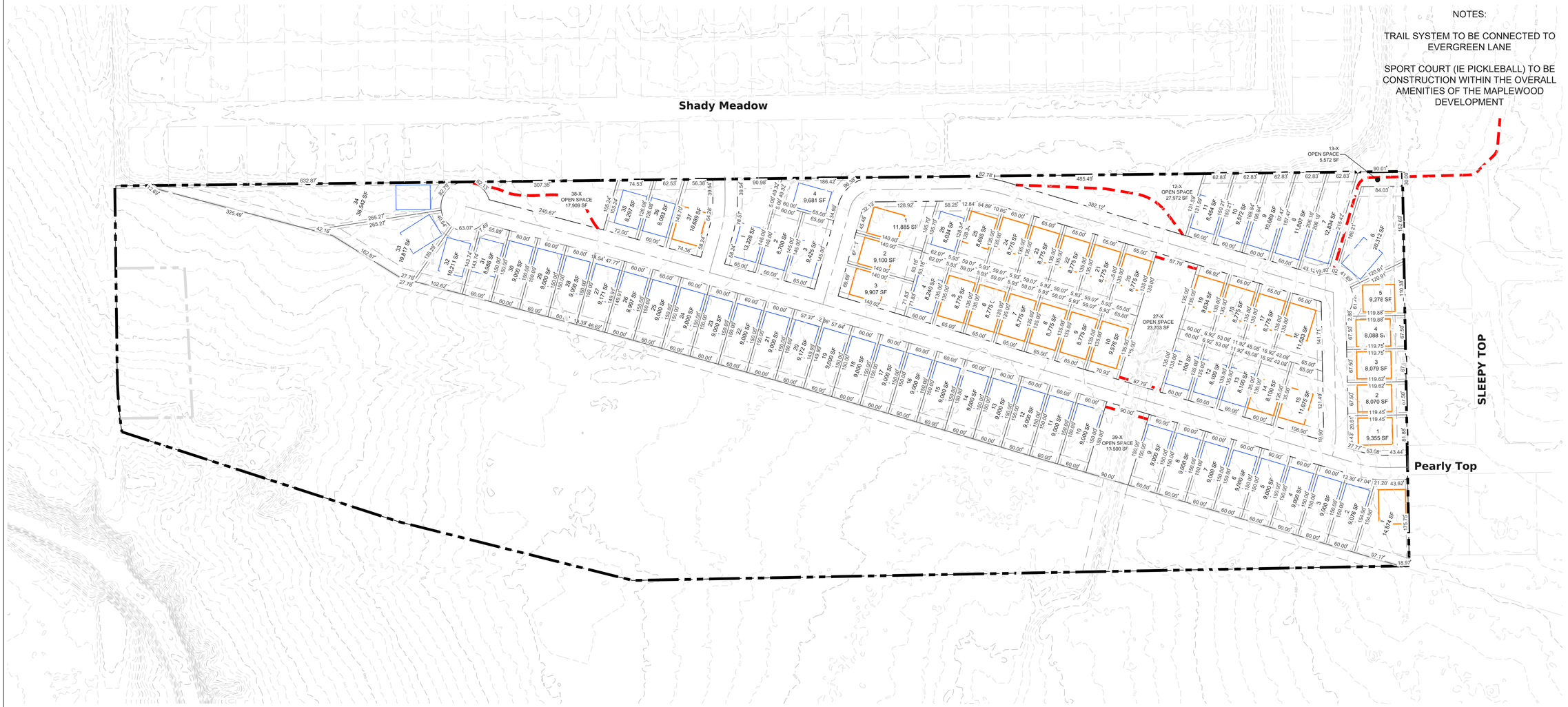
Exhibit "A”
[Revised Concept Plan]

0 100 200 Feet

NOTES:

TRAIL SYSTEM TO BE CONNECTED TO EVERGREEN LANE

SPORT COURT (IE PICKLEBALL) TO BE CONSTRUCTION WITHIN THE OVERALL AMENITIES OF THE MAPLEWOOD DEVELOPMENT



SITE DATA

SITE ACREAGE - 24.14
TOTAL LOTS - 78
55'X75' PAD - 28
50'X75' PAD - 50

5 OPEN SPACE LOTS - 60,684 SF

FOR PRELIMINARY REVIEW ONLY

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF CODY D. CRANNELL, PE#105947 ON 1/18/24

IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

CCM Engineering
2570 FM 407, Suite 209
Highland Village, Texas 75077
Ph: 972. 691.6633
Fax: 972.691.6628
TBPE FIRM #605

MAPLEWOOD SOUTH
GLENN HEIGHTS, TX

SITE PLAN

REVISIONS

DESIGN:
DRAWN:
DATE:
SCALE:
NOTES:
FILE:

Sheet 1 of 1

AGENDA SUMMARY SHEET
June 4, 2024

CONSENT AGENDA, ITEM 6

Discuss and take action to approve Resolution R-12-24, a Resolution of the City Council of the City of Glenn Heights, Texas, accepting and authorizing the City Manager to execute a Development Agreement with Shamrock Angel LLC, for cost participation in certain improvements to the intersection of West Bear Creek Road and South Westmoreland Road. (Parviz Pourazizian, Director of Planning and Development Services)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

CITY OF GLENN HEIGHTS
CITY COUNCIL REPORT

Date: June 4, 2024

SUBJECT

The City Council will consider accepting and authorizing the City Manager to execute a Development Agreement with Shamrock Angel LLC, for cost participation in certain improvements to the intersection of West Bear Creek Road and South Westmoreland Road.

DISCUSSION / BACKGROUND

This is an Agreement the Developer and the City agreed to, to support the improvement of the intersection of South Westmoreland and West Bear Creek. This amount is proportionate to the impact of their project to the existing intersection.

PRIOR COUNCIL OR BOARD ACTION

Not applicable.

PUBLIC CONTACT

Not applicable.

FINANCIAL IMPACT

As part of this Agreement, the developer, Shamrock Angel LLC, agrees to pay a total sum of $600,000.00 in participation of their project's proportional impact on the intersection of West Bear Creek Road and South Westmoreland Road.

The sum of $200,000.00 shall be remitted within ninety (90) days of the effective date of this agreement, and the remaining $400,000.00 shall be paid within thirty (30) days following the City's issuance of the first infrastructure permit for street, water, wastewater, and/or drainage.

RECOMMENDATION / ALTERNATIVES

Staff recommends approval of this Development Agreement.

ATTACHMENTS

1. Resolution R-12-24

PREPARED BY

Parviz Pourazizian, Director of Planning and Development Services

REVIEWED BY

Dr. LaSheyla Jones, City Planner

A RESOLUTION OF THE CITY OF GLENN HEIGHTS, TEXAS

RESOLUTION NO. R-12-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS ACCEPTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT WITH SHAMROCK ANGEL LLC, FOR COST PARTICIPATION IN CERTAIN IMPROVEMENTS TO THE INTERSECTION OF WEST BEAR CREEK ROAD AND SOUTH WESTMORELAND ROAD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Glenn Heights, Texas finds and determines that the Paradise Estates subdivision development project, pursued by Shamrock Angel LLC, the Developer, will cause and generate an increase in traffic throughout the intersection of West Bear Creek Road and South Westmoreland Road and that the existing conditions of the intersection are inadequate to accommodate the increase; and

WHEREAS, the Council further finds that the installation of traffic control signals and the construction of additional lanes of traffic will be necessary as a direct result of the Project; and

WHEREAS, the Developer has agreed to a Development Agreement whereby the City and Developer have agreed that the Developer will remit to the City a portion of the costs of the traffic control devices and roadway widening, in an amount roughly proportionate to the direct costs incurred by the City to accommodate the increased traffic caused by the Developer's project; and

WHEREAS, the City Council finds and determines that the Development Agreement is in the best interests of the City and the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS:

SECTION 1: That the City Council of the City of Glenn Heights does hereby accept and approve the Development Agreement between the City and Shamrock Angel LLC the Developer of the Paradise Estates Subdivision, a true and correct copy of which is attached hereto as Exhibit "A," and does further authorize the City Manager to execute the Agreement and accept payment on the City's behalf.

SECTION 3: This resolution shall become effective immediately upon its passage.

Duly Passed by the City Council of the City of Glenn Heights, Texas this 4th day of June 2024.

APPROVED:

_____
Sonja A. Brown, mayor

ATTEST:

_____
Brandi Brown, City Secretary

APPROVED AS TO FORM:

_____
David Berman, City Attorney

Exhibit A

STATE OF TEXAS §
§
COUNTY OF DALLAS §

ROADWAY DEVELOPMENT AGREEMENT

THIS AGREEMENT is by and between the City of Glenn Heights, Texas, a home rule municipality of the State of Texas (the City), and Shamrock Angel LLC (the Developer), and is effective on the last date of signing, shown below.

WHEREAS, Developer is the developer of real property situated within the City and adjacent to the intersection of West Bear Creek Road and South Westmoreland Road (the "Intersection"); and

WHEREAS, the Developer intends to develop the property for residential purposes, which will significantly increase traffic flow, congestion, and public safety concerns at the Intersection; and

WHEREAS, based on traffic impact analyses, the City has determined that improvements to the Intersection, including the installation of traffic control signals and the acquisition of land for right-of-way expansion, will partially address traffic safety concerns at the Intersection, and the Developer has acknowledged that the proposed improvements will enhance traffic safety as well as the marketability of residential properties within the Developer's project; and

WHEREAS, to enable and facilitate the City's installation of improvements, the Developer has agreed to participate in funding part of the costs to be incurred by the City in accordance with the terms hereof and the parties agree that the Developer's cost participation in the public improvements is roughly proportional to the benefits received and burdens imposed by the Development; and

WHEREAS, the City and Developer agree that the installation of traffic control devices and the acquisition of land for future right-of-expansion will serve the best interests of the City and the Developer, and is in the best interest of the public health, safety and welfare.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. The City will design, construct and install traffic signal lights and traffic control devices at the intersection of West Bear Creek Road and South Westmoreland Road in accordance with design criteria specified by the Texas Manual on Uniform Traffic Control Devices. Upon completion of construction and installation, the City will be responsible for perpetual maintenance and operation of the traffic control signals, lights and devices at the Intersection.

2. The City will, as traffic needs may justify and as budgetary constraints may allow, acquire land adjacent to the Intersection's existing roadways as may be needed to widen the roadways in

appropriate locations, and construct, install, operate and maintain appropriate deceleration, acceleration and turn lanes.

3. The Developer agrees to remit payment to the City in the amount of Six Hundred Thousand and no/100 Dollars ($600,000.00), which the parties agree and acknowledge is an amount that is roughly proportionate to the effect that the Developer's project will have on traffic flows throughout the Intersection. This amount shall be remitted by Developer as follows: The sum of $200,000.00 shall be remitted within ninety (90) days of the Effective Date of this Agreement, and the remaining $400,000.00 shall be paid within thirty (30) days following the City's issuance of the first infrastructure permit for street, water, wastewater and/or drainage.

4. Upon completion of construction, the City shall be responsible for maintenance, operation and repair of all traffic signal lights and traffic control devices at the Intersection.

5. Developer represents and warrants that it has sufficient legal authority to conduct business in the State of Texas; that it has full capacity and authority to grant all rights and assume all obligations that it has granted and assumed under this Agreement; and that the person or persons executing this Agreement on its behalf has been duly authorized to do so. The City represents and warrants that it has full capacity and authority to grant all rights and assume all obligations that it has granted and assumed under this Agreement; and that the person or persons executing this Agreement on its behalf has been duly authorized to do so.

6. The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto. This Agreement may not be assigned by Developer, and Developer shall not have the authority to assign, sell or transfer this Agreement or any right arising hereunder to any person, with the consent of the City, which consent shall not be unreasonably withheld. However, no consent shall be required for an assignment or transfer to an affiliate, parent, or subsidiary of Developer, but notice of such assignment or transfer shall be given.

7. The validity of this Agreement and all of its terms and provisions, as well as the rights and duties of the parties, shall be governed by the laws of the State of Texas, and venue for any action concerning this Agreement shall lie exclusively in the state courts of appropriate jurisdiction in Dallas County, Texas.

8. This Agreement may be amended only by the mutual written agreement of the parties hereto.

9. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other provisions hereof, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

10. All notices which are required or permitted hereunder must be in writing and shall be deemed to have been given, delivered or made, as the case may be (notwithstanding lack of actual receipt by the addressee): (i) upon actual receipt or refusal by the addressee by hand, telecopier or other electronic transmission; or (ii) three (3) business days after having been deposited in the

United States mail, certified or registered, return receipt requested, sufficient postage affixed and prepaid; or (iii) one (1) business day after having been deposited with an expedited, overnight courier service (e.g. U.S. Express Mail or Federal Express) for one-day delivery, addressed to the party to whom notice is intended to be given at the following addresses:

If intended for City, to:

City of Glenn Heights, Texas
111 West Main Street
Glenn Heights, Texas 76273
ATTN: City Administrator

If intended for Developer, to:
_Shamrock Angel LLC_____
_2005 Rock Dove Ct_____
_Westlake, Texas 76262____

11. This Agreement is the entire agreement between the parties with respect to the subject matter covered in this Agreement. There is no other oral or written agreement between the parties that in any manner relates to the subject matter of this Agreement.

12. This Agreement shall run with the Property and be recorded in the real property records of Dallas County, Texas.

13. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

14. This Agreement is effective (the Effective Date) on the last date of signing shown below.

[Signatures on following page]

DEVELOPER:

SHAMROCK ANGEL LLC

_____ Date: 5/16/2024

(Signature)
__Farrukh Azim, Managing Member__
(Type/Print Name)

CITY OF GLENN HEIGHTS, TEXAS

_____ Date: _____

Mayor

ATTEST:

_____

Town Secretary

AGENDA SUMMARY SHEET
June 4, 2024

CONSENT AGENDA, ITEM 7

Discuss and take action to approve Resolution R-13-24, a Resolution of the City Council of the City of Glenn Heights, Texas, accepting and authorizing the City Manager to execute a Development Agreement with S5 Investment Holdings LLC Series B, a Texas Limited Liability Company, for cost participation in certain improvements to the intersection of West Bear Creek Road and South Westmoreland Road. (Parviz Pourazizian, Director of Planning and Development Services)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

CITY OF GLENN HEIGHTS
CITY COUNCIL REPORT

Date: June 4, 2024

SUBJECT

The City Council will consider accepting and authorizing the City Manager to execute a development agreement with S5 Investment Holdings LLC Series B, a Texas Limited Liability Company for cost participation in certain improvements to the intersection of West Bear Creek Road and South Westmoreland Road.

DISCUSSION / BACKGROUND

This is an agreement the Developer and the City agreed to, to support the improvement of the intersection of South Westmoreland and West Bear Creek. This amount is proportion to the impact of their project to the existing intersection.

PRIOR COUNCIL OR BOARD ACTION

Not applicable.

PUBLIC CONTACT

Not applicable.

FINANCIAL IMPACT

As part of this agreement, the Developer agrees to remit payment to the City in the amount of $300,000.00 which the parties agree and acknowledge is an amount that is roughly proportionate to the effect that the Development will have on traffic flows throughout the Intersection and surrounding roadways.

The sum of $300,000.00 shall be remitted within thirty (30) days following the City's issuance of the first infrastructure permit for street, water, wastewater, and/or drainage.

RECOMMENDATION / ALTERNATIVES

Staff recommends approval of this Development Agreement.

ATTACHMENTS

1. Resolution R-13-24

PREPARED BY

Parviz Pourazizian, Director of Planning and Development Services

REVIEWED BY

Dr. LaSheyla Jones, City Planner

A RESOLUTION OF THE CITY OF GLENN HEIGHTS, TEXAS

RESOLUTION NO. R-13-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS ACCEPTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT WITH S5 INVESTMENT HOLDINGS LLC SERIES B, A TEXAS LIMITED LIABILITY COMPANY, FOR COST PARTICIPATION IN CERTAIN IMPROVEMENTS TO THE INTERSECTION OF WEST BEAR CREEK ROAD AND SOUTH WESTMORELAND ROAD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Glenn Heights, Texas finds and determines that the Stewart Farm subdivision development project, pursued by S5 Investment Holdings LLC Series B, a Texas limited liability company, the Developer, will cause and generate an increase in traffic throughout the intersection of West Bear Creek Road and South Westmoreland Road and that the existing conditions of the intersection are inadequate to accommodate the increase; and

WHEREAS, the Council further finds that the installation of traffic control signals and the construction of additional lanes of traffic will be necessary as a direct result of the Project; and

WHEREAS, the Developer has agreed to a Development Agreement whereby the City and Developer have agreed that the Developer will remit to the City a portion of the costs of the traffic control devices and roadway widening, in an amount roughly proportionate to the direct costs incurred by the City to accommodate the increased traffic caused by the Developer's project; and

WHEREAS, the City Council finds and determines that the Development Agreement is in the best interests of the City and the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS:

SECTION 1: That the City Council of the City of Glenn Heights does hereby accept and approve the Development Agreement between the City and S5 Investment Holdings LLC Series B, a Texas limited liability company the Developer of the Stewart Farm Subdivision, a true and correct copy of which is attached hereto as Exhibit "A," and does further authorize the City Manager to execute the Agreement and accept payment on the City's behalf.

SECTION 3: This resolution shall become effective immediately upon its passage.

Duly Passed by the City Council of the City of Glenn Heights, Texas this 4th day of June 2024.

APPROVED:

_____
Sonja A. Brown, mayor

ATTEST:

_____
Brandi Brown, City Secretary

APPROVED AS TO FORM:

_____
David Berman, City Attorney

Exhibit A

STATE OF TEXAS §
§
COUNTY OF DALLAS §

ROADWAY DEVELOPMENT AGREEMENT

THIS ROADWAY DEVELOPMENT AGREEMENT (this "Agreement") is by and between the City of Glenn Heights, Texas, a home rule municipality of the State of Texas (the "City"), and S5 Investment Holdings LLC Series B, a Texas limited liability company (its successors and assigns, the "Developer"), and is effective as of the Effective Date, shown below. The City and Developer are sometimes referred to herein collectively as the "parties" and each, individually, as a "party".

WHEREAS, Developer is the developer of real property situated within the City and near the intersection of West Bear Creek Road and South Westmoreland Road (the "Intersection") more particularly described on **Exhibit A** attached hereto and incorporated herein (the "Property"); and

WHEREAS, the Developer intends to develop or cause the development of the Property for residential purposes (the "Development"), which will increase traffic flow, congestion, and public safety concerns at the Intersection; and

WHEREAS, based on traffic impact analyses, the City has determined that certain Improvements (defined herein) to the Intersection and the acquisition of land for right-of-way expansion, will partially address traffic safety concerns at the Intersection, and the Developer has acknowledged that the proposed Improvements will enhance traffic safety as well as the marketability of residential properties within the Developer's project; and

WHEREAS, to enable and facilitate the City's installation of the Improvements, the Developer has agreed to participate in funding part of the costs to be incurred by the City in accordance with the terms hereof and the parties agree that the Developer's cost participation in the Improvements is roughly proportional to the benefits received and burdens imposed by the Development; and

WHEREAS, the City and Developer agree that the installation of the Improvements and the acquisition of land for future right-of-way expansion will serve the best interests of the City and the Developer, and is in the best interest of the public health, safety and welfare; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. The City will design, construct and install traffic signal lights, traffic control devices and related traffic control improvements (the "Improvements") at the Intersection in accordance with design criteria specified by the Texas Manual on Uniform Traffic Control Devices and applicable law. The City will provide Developer with written notice of the anticipated date for

commencement of construction of the Improvements after engineering design plans and specifications have been completed. Upon completion of construction and installation of the Improvements, the City will be responsible for perpetual maintenance and operation of the traffic control signals, lights and devices at the Intersection, including without limitation all Improvements.

2. The City will, as traffic needs may justify and as budgetary constraints may allow, acquire land adjacent to the Intersection's existing roadways as may be needed to widen the roadways in appropriate locations, and construct, install, operate and maintain appropriate deceleration, acceleration and turn lanes.

3. The Developer agrees to remit payment to the City in the amount of $300,000.00 (the "Improvements Payment"), which the parties agree and acknowledge is an amount that is roughly proportionate to the effect that the Development will have on traffic flows throughout the Intersection and surrounding roadways. The Improvements Payment shall be remitted by Developer within thirty (30) days following the City's issuance of the first infrastructure permit for street, water, wastewater and/or drainage improvements within the Property for the Development. Should the City fail to cause the Completion of Construction of the Improvements within five (5) years of the date Developer provides the Improvements Payment to the City, the City shall promptly refund the Improvements Payment (without interest) to the Developer. For purposes of this Agreement, "Completion of Construction" means there are fully functional traffic signal lights in all directions throughout the Intersection.

4. The City does not impose roadway impact fees in accordance with Chapter 395, Texas Local Government Code, as amended ("Roadway Impact Fees"). Should the City adopt and implement Roadway Impact Fees and make assessments against the Development, the assessment of Roadway Impact Fees shall be offset by Developer's Improvements Payment. Should the Roadway Impact Fees exceed the Improvements Payment, the Developer shall remit such excess at the time Roadway Impact Fees are collected in accordance with applicable City ordinances.

5. Upon completion of construction of the Improvements, the City shall be responsible for maintenance, operation and repair of all traffic signal lights and traffic control devices at the Intersection, including without limitation all Improvements.

6. Developer represents and warrants that it has sufficient legal authority to conduct business in the State of Texas; that it has full capacity and authority to grant all rights and assume all obligations that it has granted and assumed under this Agreement; and that the person or persons executing this Agreement on its behalf has been duly authorized to do so. The City represents and warrants that it has full capacity and authority to grant all rights and assume all obligations that it has granted and assumed under this Agreement; and that the person or persons executing this Agreement on its behalf has been duly authorized to do so.

7. The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto. Except as expressly provided herein, this Agreement may not be assigned by

Developer, and Developer shall not have the authority to assign, sell or transfer this Agreement or any right arising hereunder to any person, without the consent of the City, which consent shall not be unreasonably withheld. However, no City consent shall be required for Developer's assignment or transfer of this Agreement, in whole or in part, to (i) an affiliate, parent, or subsidiary of Developer, or (ii) a future owner of all or a portion of the Property; but notice of such assignment or transfer shall be given to the City.

8. The validity of this Agreement and all of its terms and provisions, as well as the rights and duties of the parties, shall be governed by the laws of the State of Texas, and venue for any action concerning this Agreement shall lie exclusively in the state courts of appropriate jurisdiction in Dallas County, Texas.

9. This Agreement may be amended only by the mutual written agreement of the parties hereto.

10. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other provisions hereof, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

11. In the event of any conflict between this Agreement and any other ordinance, rule, regulation, standard, policy, order, guideline, or other City adopted or City enforced requirement, whether existing on the Effective Date or hereinafter adopted, this Agreement shall control; provided, however, that nothing in this Agreement shall be deemed as City approval of any development requirement, permit or application of any kind.

12. Upon written request by Developer to the City, the City will provide Developer with a certificate stating, as of the date of the certificate, (i) whether this Agreement is in full force and effect and, if Developer is in breach of this Agreement, the nature of the breach and the curative action required to cure the same; (ii) a statement as to whether this Agreement has been amended and, if so, the identity of each amendment; and (iii) any other factual matters reasonably requested that relate to this Agreement. The City Manager or his/her authorized designee may execute, on behalf of the City, any estoppel certificate requested by the Developer that is consistent with this section.

13. All notices which are required or permitted hereunder must be in writing and shall be deemed to have been given, delivered or made, as the case may be: (i) upon actual receipt or refusal by the addressee by hand with a receipt or confirmation evidencing delivery or electronic transmission; or (ii) three (3) business days after having been deposited in the United States mail, certified or registered, return receipt requested, sufficient postage affixed and prepaid; or (iii) one (1) business day after having been deposited with an expedited, overnight courier service (e.g. U.S. Express Mail or Federal Express) for one-day delivery with confirmation of delivery, addressed to the party to whom notice is intended to be given at the following addresses:

If intended for City, to:

City of Glenn Heights, Texas
111 West Main Street
Glenn Heights, Texas 76273
ATTN: City Administrator

If intended for Developer, to:

S5 Investment Holdings LLC Series B
620 Cunningham Meadows Rd.
Waxahachie, TX 75167

ATTN: Wendell Stewart
wendellstewart.ws@gmail.com

For purposes of this Agreement a "business day" is a day that is not a Saturday, Sunday, federal holiday or holiday in the State of Texas.

14. This Agreement is the entire agreement between the parties with respect to the subject matter covered in this Agreement. There is no other oral or written agreement between the parties that in any manner relates to the subject matter of this Agreement.

15. This Agreement shall run with the Property and be recorded in the real property records of Dallas County, Texas.

16. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

17. This Agreement is effective on the last date of signing, shown below (the "Effective Date").

[Signatures on following page(s)]

DEVELOPER:

S5 INVESTMENT HOLDINGS LLC SERIES B,
a Texas limited liability company

Wendell Stewart
(Signature)

Date: 5/31/24

Wendell Stewart
(Type/Print Name)

STATE OF TEXAS §
§
COUNTY OF Ellis §

This instrument was acknowledged before me, the undersigned authority, by Wendell Stewart (name) as the Sole member (title) of S5 INVESTMENT HOLDINGS LLC SERIES B, a Texas limited liability company known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 31 day of May, 2024.

Elizabeth Valderas
Notary Public in and for the State of Texas

Commission Expires:

05/01/2028

ELIZABETH VALDERAS
Notary Public
State of Texas
ID # 124894793
Comm. Expires 05/01/2028

CITY OF GLENN HEIGHTS, TEXAS

_____ Date: _____

Sonja A. Brown, Mayor

ATTEST:

_____

Town Secretary

IN WITNESS WHEREOF:

STATE OF TEXAS §
§
COUNTY OF DALLAS §

This instrument was acknowledged before me, the undersigned authority, by Sonja A. Brown, Mayor for the City of Glenn Heights, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2024.

_____

Notary Public in and for the State of Texas

Commission Expires:

_____

EXHIBIT A

Legal Description of the Property

94.934 ACRES

BEING a tract of land situated in the Elias R. Parks Survey, Abstract No. 1131, City of Glenn Heights, Dallas County, Texas and being all of those tracts conveyed to Wendell Stewart and wife, Martha Stewart, described and recorded as follows: called 5.652-acres in Volume 93054, Page 3907, called 32.148-acres in Volume 95121, Page 2220, called 1.977-acres in Volume 89005, Page 5941, called 6.89-acres in Volume 80175, Page 856, remainder of a called 3.74-acres in Volume 80200, Page 1491, and the remainder from a called 12.00-acres in Volume 75222, Page 1027 Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and Deed Records, Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod set capped (stamped "KHA") for the northeast corner of said 45.652-acre tract, same being the northwest corner of that tract of land conveyed to Nekaya Duffey, according to the document filed of record in Instrument No. 202000356715 Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), in the south right of way line of South Bear Creek Road a variable width right-of-way;

THENCE South 00°35'13" East, leaving said south line, with the east line of said 45.652-acre tract, same being common with the west line of said Duffey tract, a distance of 627.03 feet to a 1/2-inch iron rod set capped (stamped "KHA"), same being a westerly line of the above-mentioned 1.977-acre tract, for the south corner of said Duffey tract;

THENCE North 38°26'45" East, with said westerly line, a distance of 13.67 feet to a 5/8-inch iron rod found disturbed for the northwest corner of said 1.977-acre tract, same being the southwest corner of a called 3.337-acre tract of land conveyed to Amos Taylor, Jr. and Patsy Taylor, according to the document filed of record in Instrument No. 201300265865 (O.P.R.D.C.T.);

THENCE North 89°34'28" East, with the north line of said 1.977-acre tract, same being common with the south line of said 3.337-acre tract, a distance of 432.92 feet to a 1/2-inch iron rod set capped (stamped "KHA") for the northeast corner of said 1.977-acre tract, same being the northwest corner of a called 1.5-acre tract of land conveyed to Amos Taylor, Jr. and Patsy Ruth Taylor, according to the document filed of record in Volume 91211, Page 747 (D.R.D.C.T.), from which a 1-inch iron pipe found for reference bears, North 11°26'50" East, a distance of 1.29 feet;

THENCE South 01°17'15" East, with the east line of said 1.977-acre tract, same being common with the west line of said 1.5-acre tract, a distance of 173.99 feet to a 1/2-inch

iron rod found in the north line of the above-mentioned 6.89-acre tract, for the southeast corner of said 1.977-acre tract, same being the southwest corner of said 1.5-acre tract;

THENCE North 89°31'19" East, with said north line, same being common with the south line of said 1.5-acre tract, a distance of 375.23 feet to a 3/8-inch iron rod found for the northeast corner of said 6.89-acre tract, in the west right of way line of South Westmoreland Road a variable width right-of-way;

THENCE South 01°20'54" East, with the east line of said 6.89-acre tract, same being common with said west right-of-way line, a distance of 347.73 feet to a 5/8-inch iron rod with plastic cap stamped "TXRCS" found for the southeast corner of said 6.89-acre tract, same being the northeast corner of a called 1.581-acre tract of land conveyed to Ejandro C. Arroyo and Shannon L. Arroyo, according to the document filed of record in Instrument No. 202100270599 (O.P.R.D.C.T.);

THENCE South 89°12'48" West, with the south line of said 6.89-acre tract, same being common with the north line of said 1.581-acre tract, a distance of 327.05 feet to a 5/8-inch iron rod with plastic cap stamped "TXRCS" found in the north line of the above-mentioned 3.74-acre tract, same being the northwest corner of said 1.581-acre tract;

THENCE South 00°47'46" East, with the west line of said 1.581-acre tract, a distance of 207.47 feet to a 5/8-inch iron rod with plastic cap stamped "TXRCS" found for the southwest corner of said 1.581-acre tract;

THENCE South 89°59'32" East, with the south line of said 1.581-acre tract, a distance of 329.64 feet to a 5/8-inch iron rod with plastic cap stamped "TXRCS" found for the southeast corner of said 1.581-acre tract;

THENCE South 00°54'27" East, with the east line of said 12.00-acre tract, same being common with said west right of way line, a distance of 151.36 feet to a 3/8-inch pipe found for the northeast corner of that tract of land conveyed to James C. Howard and Sabrina Evans, according to the document filed of record in Instrument No. 201000196586, (O.P.R.D.C.T.);

THENCE North 88°09'17" West, with the north line of said James C. Howard tract, a distance of 417.44 feet to a 1/2-inch iron rod set capped (stamped "KHA") for the northwest corner of said James C. Howard tract;

THENCE South 01°50'12" East, with the west line of said James C. Howard tract, and west line of a called 1.99-acre tract of land conveyed to Gayle Russell and wife Irene Russell, according to the document filed of record in Volume 99117, Page 5729, (D.R.D.C.T.), passing a 1/2-inch iron rod found for the southwest corner of said James C. Howard tract at a distance of 208.80 feet continuing for a total distance of 417.44 feet to a point for corner for the southwest corner of said 1.99-acre tract, in the north line of a called 2.227-acre tract of land conveyed to Cameron Joseph Zimney and Emily Dean

Zimny, according to the document filed of record in Instrument No. 201900053035 (O.P.R.D.C.T.);

THENCE North 88°08'49" West, with the south line of the above-mentioned 12.00-acre tract, same being common with the north line of called 2.227-acre tract, a distance of 299.22 feet to a 1/2-inch iron rod found in said south line, for the northernmost northeast corner of said 32.148-acre tract, for the northwest corner of said 2.227-acre tract;

THENCE South 01°30'51" East, with the westernmost east line of said 32.148-acre tract, same being common with the west line of said 2.227-acre tract, a distance of 151.82 feet to a 1/2-inch iron rod found for an interior "ell" corner of said 32.148-acre tract, for the southwest corner of said 2.227-acre tract;

THENCE North 89°16'41" East, with a north line of said 32.148-acre tract, same being common with the south line of said 2.227-acre tract, a distance of 715.97 feet to a 3-inch iron pipe found for the eastern most northeast corner of said 32.148-acre tract, for the southeast corner of said 2.227-acre tract, and being in the said west line of South Westmoreland Drive;

THENCE South 01°38'40" East, with the east line of said 32.148-acre tract, same being common with said west right of way line, a distance of 190.58 feet to a point;

THENCE over and across said 32.148-acre tract the following courses:

South 88°21'20" West, 36.28 feet to a point;

South 67°25'01" West, 267.40 feet to a point;

South 25°45'41" West, 44.01 feet to a point;

South 00°45'25" East, 54.34 feet to a point;

South 38°44'28" East, 80.14 feet to a point;

South 00°45'13" East, 88.81 feet to a point in the south line of said 32.148-acre tract, same being common with the north line of a called 100.358-acre tract of land conveyed to KGN Realty, LLC according to the document filed of record in Instrument No. 202100261547 (O.P.R.D.C.T.);

THENCE South 89°14'47" West, with said common line a distance of 1,869.75 feet to a 1/2-inch iron rod found for the southwest corner of said 32.148-acre tract, same being the southeast corner of a called 24.694-acre tract of land conveyed to Creek Heights LLC., according to the document filed of record in Instrument No. 202200015546 (O.P.R.D.C.T.), from which a 5/8-inch pink TxDOT ROW Monument bears North 0°55'07" East, a distance of 21.89 feet and a second 5/8" pink TxDOT ROW Monument bears South 89°59'0" East, a distance of 27.64 feet;

THENCE North 01°34'23" West, with the west line of said 32.148-acre tract, same being common with the east line of said 24.694-acre tract, a distance of 750.45 feet to a 3/8-inch iron rod found for the northwest corner of said 32.148-acre tract, same being the southwest corner of the above-mentioned 45.652-acre tract;

THENCE with the west line of said 45.652-acre tract, same being common with the east line of said 24.694-acre tract the following bearings and distances:

North 17°35'26" East, a distance of 300.34 feet to a 3/8-inch iron rod found for corner;

North 05°39'10" West, a distance of 194.50 feet to a 3/8-inch iron rod found for corner;

North 17°08'27" East, a distance of 349.49 feet to a 3/8-inch iron rod found for corner;

North 01°27'27" West, a distance of 217.50 feet to a 1/2-inch iron rod set capped (stamped "KHA") for corner;

North 09°56'35" East, a distance of 132.54 feet to a 3/8-inch iron rod found for corner;

North 20°45'03" East, a distance of 272.85 feet to a 3/8-inch iron rod found for corner;

North 13°13'30" East, a distance of 80.25 feet to a 1/2-inch iron rod with cap stamped "Precise Land Surveying" found, for the southeast corner of a called 1.01-acre tract of land conveyed to Tona Holloway, according to the document filed of record in Instrument No. 200900253645 (O.P.R.D.C.T.), from which a 1-inch iron pipe found bears North 37°59'55" East, a distance of 0.73 feet;

THENCE North 02°14'39" East, with the east line of said 1.01-acre tract, a distance of 334.03 feet to a point for corner in the north line of said 45.652-acre tract, same being the northeast corner of said 1.01-acre tract, in the south line of said West Bear Creek Road, from which a 1/2-inch iron rod with cap stamped "Precise Land Surveying" found for reference bears, South 2°14'39" East, a distance of 0.73 feet;

THENCE North 81°20'38" East, with the north line of said 45.652-acre tract, same being common with the south line of said West Bear Creek Road, a distance of 59.83 feet to a 1/2-inch iron rod set capped (stamped "KHA") for corner;

THENCE North 89°30'08" East, continuing with said common line, a distance of 895.72 feet to the **POINT OF BEGINNING** and containing 4,135,344 square feet or 94.934 acres of land.

AGENDA SUMMARY SHEET
June 4, 2024

AGENDA, ITEM 1

Discuss and take action to reappoint four (4) members to serve on the Citizens Police Advisory Committee. (Nick Bristow, Chief of Police)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

CPAC APPOINTMENTS

NICK BRISTOW

CHIEF OF POLICE

JUNE 4, 2024

CPAC Members

Appointed By	Member	Appointed	Term Expires
Mayor	Arlen Taliaferro	May 4, 2021	May 4, 2024
Council Member, Place 1	Cartney Slaughter	June 6, 2023	June 6, 2025
Council Member, Place 2	LaKeisha Ayers-Pruitt	February 15, 2022	May 4, 2024
Council Member, Place 3	Shaleese Neugent	May 16, 2023	May 16, 2025
Council Member, Place 4	Micheal Cleary	May 4, 2021	May 4, 2024
Council Member, Place 5	Dana Williamson	May 16, 2023	May 16, 2025
Council Member, Place 6	Margo Spencer	May 4, 2021	May 4, 2024

QUESTIONS

COMMENTS

AGENDA SUMMARY SHEET
June 4, 2024

AGENDA, ITEM 2

Discuss and take action on Resolution R-14-24, a Resolution of the City Council of the City of Glenn Heights, Texas, authorizing and approving a new Rate Schedule (Schedule A) to the City's Solid Waste Collection Contract with Community Waste Disposal, LP, establishing new rates for solid waste collections within the City to be effective July 1, 2024. (Clifford Blackwell, City Manager)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

A RESOLUTION OF THE CITY OF GLENN HEIGHTS, TEXAS

RESOLUTION NO. R-14-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS, AUTHORIZING AND APPROVING A NEW RATE SCHEDULE (SCHEDULE A) TO THE CITY'S SOLID WASTE COLLECTION CONTRACT WITH COMMUNITY WASTE DISPOSAL, LP, ESTABLISHING NEW RATES FOR SOLID WASTE COLLECTIONS WITHIN THE CITY TO BE EFFECTIVE JULY 1, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Glenn Heights has entered into a contract and franchise agreement ("Contract") with Community Waste Disposal, LP ("CWD"), for the collection of municipal solid waste from residential, commercial and industrial customers within the City and;

WHEREAS, the Contract provides for an Annual Adjustment Model allowing for adjustments to rates charged to customers within the City beginning 12 months after the Contract's effective date, which period has expired; and

WHEREAS, CWD has requested a rate adjustment, and the Council finds and determines the rate adjustments to be in accordance with the terms of the Contract, to be in the public interest to approve the requested rate adjustments, and by this resolution, approves the new rates.

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

SECTION 1. The City Council of the City of Glenn Heights, Texas, does hereby approve the rate adjustments requested by Community Waste Disposal, LP, and does hereby approve the Rate Schedule ("Schedule A") attached hereto and by this reference incorporated herein as Exhibit "A," which rates shall be effective as of July 1, 2024.

SECTION 2. This resolution shall be effective immediately upon final passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS, THIS 4TH DAY OF JUNE 2024.

APPROVED:

_____
Sonja A. Brown, mayor

ATTEST:

_____
Brandi Brown, City Secretary

DRAFT

APPROVED AS TO FORM:

_____
David Berman, City Attorney

DRAFT

EXHIBIT A

DRAFT

AGENDA SUMMARY SHEET
June 4, 2024

AGENDA, ITEM 3

Discuss and first reading of Ordinance O-13-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, amending the appropriate sections of the Code of Ordinances to adopt the 2021 International Building Code, the 2021 International Residential Code, the 2021 International Plumbing Code, the 2021 International Mechanical Code, the 2023 National Electrical Code, the 2021 International Energy Conservation Code, the 2021 International Fuel Gas Code, the 2021 International Existing Building Code, the 2021 International Swimming Pool And Spa Code, the 2021 International Fire Code, and the 2021 International Property Maintenance Code. (Parviz Pourazizian, Director of Planning and Development Services)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

ORDINANCE NO. O-13-24

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING THE APPROPRIATE SECTIONS OF THE CODE OF ORDINANCES TO ADOPT THE 2021 INTERNATIONAL BUILDING CODE, THE 2021 INTERNATIONAL RESIDENTIAL CODE, THE 2021 INTERNATIONAL PLUMBING CODE, THE 2021 INTERNATIONAL MECHANICAL CODE, THE 2023 NATIONAL ELECTRICAL CODE, THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2021 INTERNATIONAL FUEL GAS CODE, THE 2021 INTERNATIONAL EXISTING BUILDING CODE, THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE, THE 2021 INTERNATIONAL FIRE CODE, AND THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated international model construction codes (known generally as the "International Codes"); and

WHEREAS, the City of Glenn Heights has been involved throughout the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the creation of the 2021 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO); and

WHEREAS, the International Codes have been reviewed by the NCTCOG and City staff; and

WHEREAS, the City's building and construction codes are intended to be updated periodically, with the 2021 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

WHEREAS, the City Council of the City of Glenn Heights has determined that it is in the best interest of the citizens of the City of Glenn Heights to adopt the *2021* editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY

OF GLENN HEIGHTS, TEXAS:

SECTION 1. The Code of Ordinances of the City of Glenn Heights is hereby amended at Chapter 3 "Building Regulations", Article 3.04 "Building Codes" by amending sections 3.04.001 and 3.04.002 thereof to read in their entirety as follows:

"CHAPTER 3 BUILDING REGULATIONS

. . .

ARTICLE 3.04 BUILDING CODES

Sec. 3.04.001 International Building Code and International Residential Code Adopted

The City Council hereby adopts the 2021 edition of the International Building Code and the 2021 edition of the International Residential Code, except as modified or amended in this Article. In the event that these codes are ever updated or revised, those changes are automatically included and incorporated into this section once the changes are approved by the North Central Texas Council of Governments. Copies of the codes and amendments thereto, as referenced herein, are on file in the office of the City Secretary for permanent record and inspection. These codes establish the rules and regulations for the construction, alteration, removal, demotion, equipment, use and occupancy, location and maintenance of buildings and structures, including permits. From the date on which this section shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures within the corporate limits of the city.

Sec. 3.04.002 Amendments to International Building and International Residential Codes

The City Council hereby adopts the North Central Texas Council of Governments Recommended Amendments to the 2021 International Building Code, Option B, and the North Central Texas Council of Governments Recommended Amendments to the 2021 International Residential Code, which are attached to this Ordinance respectively as Exhibits A and B and incorporated herein for all purposes, except that the amendments shall be further modified as follows:

(1) International Residential Code M2005.1 shall prohibit all water heaters from being installed in any location except the ground floor or a basement.

. . ."

SECTION 2. The Code of Ordinances of the City of Glenn Heights is hereby amended at Chapter 3 "Building Regulations", Article 3.05 "Plumbing Code" by amending sections 3.05.001 and 3.05.002 thereof to read in their entirety as follows:

"CHAPTER 3 BUILDING REGULATIONS

. . .

ARTICLE 3.05 PLUMBING CODE

Sec. 3.05.001 International Plumbing Code Adopted

The City Council hereby adopts the 2021 edition of the International Plumbing Code, except as modified or amended in this article. In the event that this code is ever updated or revised, those changes are automatically included in and incorporated into this section once the changes are approved by the North Central Texas Council of Governments. Copies of the code and amendments thereto, as referenced herein, are on file in the office of the city secretary for permanent record and inspection. From the date on which this section shall take effect, the provisions thereof shall be controlling in the plumbing construction of all buildings and structures within the corporate limits of the city.

Sec. 3.05.002 Amendments to International Plumbing Code

The City Council further adopts the North Central Texas Council of Government recommended amendments to the 2021 International Plumbing Code, attached to this Ordinance as Exhibit C and on file in the office of the city secretary subject to the following:

(1) The cost of a permit established in the code is hereby amended to provide that permit fees shall be established in chapter 3, article 3.03 of the Code of Ordinances.

(2) Chapter 5, section 52.3 shall prohibit all water heaters from being installed in any location except the ground floor or a basement.

. . ."

SECTION 3. The Code of Ordinances of the City of Glenn Heights is hereby amended at Chapter 3 "Building Regulations", Article 3.06 Electrical Code", sections 3.06.001 and 3.06.008 thereof to read in their entirety as follows:

"CHAPTER 3 BUILDING REGULATIONS

. . .

ARTICLE 3.06 ELECTRICAL CODE

Sec. 3.06.001 National Electrical Code adopted

The City Council hereby adopts the 2023 edition of the National Electrical Code, except as modified or amended in this article. In the event that this code is ever updated or revised, those changes are automatically included and incorporated into the is section once the changes are approved by the North Central Texas Council of Governments. All electrical equipment installed or used in the city shall be reasonably safe to persons and property in conformity with the standards provided in the codes adopted herein, applicable state statutes, and any rules and regulations issued by authority thereof. Copies of the codes and amendments thereto, as referenced in this section, are on file in the office of the City Secretary for permanent record and inspection. From the date on which this section shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures within the corporate limits of the city.

. . .

Sec. 3.06.008 Amendments to National Electrical Code

The city council hereby adopts the North Central Texas Council of Governments recommended amendments to the 2023 National Electrical Code, attached to this ordinance as Exhibit D and on file in the office of the City Secretary, subject to the following:

(1) Article 590 – Temporary Wiring (Service)

(A) Article 590.3(a) – Permit Required. Temporary electrical power and lighting installations may be permitted during the period of construction, remodeling, maintenance, repair, or demotion of buildings, structures, equipment, or similar activities where, for good and sufficient causes, it is necessary to have electricity on any such installation before a final certificate can be issued; provided, that all parts to which the current is applied are in safe condition and meet all applicable requirements hereof. A permit will be required for any such temporary service. Application for a temporary service permit shall be made before such permit is issued; a fee as set forth in the fee schedule in appendix A to the Code of Ordinances shall be paid by the applicant.

(B) Article 590.3(b) – Permit Valid for 120 Days. A temporary service permit shall expire after 120 days from the date issued. If at the end of this 120 days, the installation is still incomplete, another permit must be taken out for the next thirty (30) days and each succeeding thirty (30) days while said installation is incomplete.

. . ."

SECTION 4. The Code of Ordinances of the City of Glenn Heights is hereby amended at Chapter 3 "Building Regulations", Article 3.07 "Mechanical Code" by amending sections 3.07.001 and 3.07.002 thereof to read in their entirety as follows:

"CHAPTER 3 BUILDING REGULATIONS

. . .

ARTICLE 3.07 MECHANICAL CODE

Sec. 3.07.001 International Mechanical Code Adopted

The City Council hereby adopts the 2021 edition of the International Mechanical Code, except as modified or amended in this article. In the event that this code is ever updated or revised, those changes are automatically included and incorporated into this section once the changes are approved by the North Central Texas Council of Governments. The installation and maintenance of all heating, ventilating, cooling and refrigeration systems in the city shall be in accordance with the provisions of the code adopted in this section. Copies of the code and amendments thereto, as referenced herein, are on file in the office of the City Secretary, for permanent record and inspection. From the date on which this section shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures within the corporate limits of the city.

Sec. 3.07.002 Amendments to International Mechanical Code.

The City Council hereby adopts the North Central Texas Council of Governments recommended amendments to the 2021 International Mechanical Code, attached to this ordinance as Exhibit E and on file in the office of the City Secretary, subject to the following:

(1) The sections of the code regarding permit fees are amended to provide that permit fees shall be as established in chapter 3, article 3.03 of this Code of Ordinances, as hereafter amended.

. . ."

SECTION 5. The Code of Ordinances of the City of Glenn Heights is hereby amended at Chapter 3 "Building Regulations", by amending Article 3.08 "Miscellaneous Codes" to read in its entirety as follows:

"CHAPTER 3 BUILDING REGULATIONS

. . .

ARTICLE 3.08 MISCELLANEOUS CODES

(a) International Energy Conservation Code. The City Council hereby adopts the 2021 edition of the International Energy Conservation Code, except as modified or amended in this article. In the event that this code is ever updated or revised, those changes are automatically included and incorporated into this section once the changes are approved by the North Central Texas Council of Governments. Copies of the code and the amendments thereto, as referenced herein, are on file in the office of the City Secretary, for permanent record and inspection. From the date on which this section shall take effect, the provisions thereof shall be controlling within the corporate limits of the city.

(1) The City Council hereby adopts the North Central Texas Council of Governments recommended amendments to the 2021 International Energy Conservation Code, attached to this ordinance as Exhibit F and on file in the office of the City Secretary.

(b) International Existing Building Code. The City Council hereby adopts the 2021 edition of the International Existing Building Code, except as modified or amended in this article. In the event that this code is ever updated or revised, those changes are automatically included and incorporated into this section once the changes are approved by the North Central Texas Council of Governments. Copies of the code and the amendments thereto, as referenced herein, are on file in the office of the City Secretary, for permanent record and inspection. From the date on which this section shall take effect, the provisions thereof shall be controlling within the corporate limits of the city.

(1) The City Council hereby adopts the North Central Texas Council of Governments recommended amendments to the 2021 International Existing Building Code, attached to this ordinance as Exhibit G and on file in the office of the City Secretary.

(c) International Fuel Gas Code. The City Council hereby adopts the 2021 edition of the International Fuel Gas Code, except as modified or amended in this article. In the event that this code is ever updated or revised, those changes are automatically included and incorporated into this section once the changes are approved by the North Central Texas Council of Governments. Copies of the code and the amendments thereto, as referenced herein, are on file in the office of the City Secretary, for permanent record and inspection. From the date on which this section shall take effect, the provisions thereof shall be controlling within the corporate limits of the city.

(1) The City Council hereby adopts the North Central Texas Council of Governments recommended amendments to the 2021 International Fuel Gas Code, attached to this ordinance as Exhibit H and on file in the office of the City Secretary.

. . ."

SECTION 6. The Code of Ordinances of the City of Glenn Heights is hereby amended at Chapter 3 "Building Regulations", Article 3.14 "Swimming Pool and Spa Code" by amending sections 3.14.001 and 3.14.002 thereof to read in their entirety as follows:

"CHAPTER 3 BUILDING REGULATIONS

. . .

ARTICLE 3.14 SWIMMING POOL AND SPA CODE

Sec. 3.14.001 International Swimming Pool and Spa Code Adopted

The City Council hereby adopts the 2021 edition of the International Swimming Pool and Spa Code, except as modified or amended in this article. In the event that this code is ever updated or revised, those changes are automatically included and incorporated into this section once the changes are approved by the North Central Texas Council of Governments. Copies of the code and amendments thereto, as referenced herein, are on file in the office of the City Secretary, for permanent record and inspection. From the date on which this section shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures within the corporate limits of the city.

Sec. 3.14.002 Amendments to International Swimming Pool and Spa Code.

The City Council hereby adopts the North Central Texas Council of Governments recommended amendments to the 2021 International Swimming Pool and Spa Code, attached to this ordinance as Exhibit I and on file in the office of the City Secretary

. . ."

SECTION 7. The Code of Ordinances of the City of Glenn Heights is hereby amended at Chapter 5 "Fire Prevention and Protection", Article 5.03 "Fire Code" by amending section 4.03.0014.001 thereof to read in its entirety as follows:

"CHAPTER 5 FIRE PREVENTION AND PROTECTION

. . .

ARTICLE 5.03 FIRE CODE

Sec. 5.03.001 International Fire Code Adopted; Amendments.

(a) The City Council hereby adopts the 2021 edition of the International Fire Code and the most recent version of the National Fire Prevention Association 99C Standard on Gas and Vacuum Systems (NFPA 99C), including all appendices, except as modified or amended in this article. In the event that this code is ever updated or revised, those changes are automatically included and incorporated into this section once the changes are approved by the North Central Texas Council of Governments. Copies of the code and the amendments thereto, as referenced herein, are on file in the office of the City Secretary, for permanent record and inspection. From the date on which this section shall take effect, the provisions thereof shall be controlling within the corporate limits of the city.

(b) The City Council hereby adopts the North Central Texas Council of Governments recommended amendments to the 2021 International Fire Code, Option B, attached to this ordinance as Exhibit J and on file in the office of the City Secretary.

. . ."

SECTION 8. The Code of Ordinances of the City of Glenn Heights is hereby amended at Chapter 3 "Building Regulations", Article 3.13 "Property Maintenance Code" by amending section 3.13.002 thereof to read in their entirety as follows:

"CHAPTER 3 BUILDING REGULATIONS

. . .

ARTICLE 5.13 PROPERTY MAINTENANCE CODE

§ 3.13.002 International Property Maintenance Code

(a) Adoption - The International Property Maintenance Code, 2021 edition with amendments, including appendix A "boarding standard," a copy of which is on file in the office of the city secretary, is hereby adopted and designated as the property maintenance code of the city, the same as though such code were copied in full herein.

(b) Amendments to the International Property Maintenance Code.
The following sections of the International Property Maintenance Code, 2015 edition, are hereby amended to read as follows:

101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Glenn Heights, Texas.

(2) Section 101.3; change to read as follows:

101.3 Intent. This code shall be constructed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required within. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the building codes as adopted by the city.

(3) Section 103.4; delete the section.

(4) Section 103.5; change to read as follows:

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the city's master fee schedule.

(5) Section 104.1; change to read as follows:

104.1 General. The building official, code official or the city manager's designee(s) shall enforce the provisions of this code.

(6) Section 106.2; delete the section.

(7) Section 106.3; delete the section.

(8) Section 106.4; delete the section.

(9) Section 106.5; delete the section.

(10) Section 107.1; change to read as follows:

107.1 Notice to person responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in sections 107.2 and 107.3 to the person responsible for the violation as specified in this code as a matter of due process. Notices for condemnation procedures shall also comply with section 108.3.

(11) Section 107.5; delete the section.

(12) Section 110.1; change to read as follows:

110.1 General. The code official or buildings standards commission shall order the owner of any structure, which in their judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

(13) Section 111.1; change to read as follows:

111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice under this code shall have the right to appeal to the building standards commission, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. A person's exercise of an appeal does not preclude or abate criminal enforcement for a violation of this code.

(14) Section 111.2 through section 111.8; delete these sections.

(15) Section 112.4; change to read as follows:

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be criminally liable for such offense in a fine amount not to exceed the sum of two thousand dollars ($2,000.00).

(16) Section 302.4; delete the section.

(17) Section 303.2; change to read as follows:

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1,219.2 mm) in height above the finished ground level measured on the side of the barrier away from the pool. The maximum height for the fence or barrier shall not exceed 96 inches (2,438.4 mm). Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1,372 mm) above the bottom of the gate, the release mechanism shall be located on the poolside of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

(Text of exception unchanged)

(18) Section 304.3.1 and 304.3.2; add to read as follows:

304.3.1 Building numbers required. For multifamily dwellings, each building shall have the building number placed in a position to be plainly legible and visible. Each building number shall be illuminated so that the number is plainly visible from the street level at night.

304.3.2 Unit/apartment numbers on front doors. For multifamily dwellings, each apartment or unit number shall be plainly legible and visible on the front door of each unit. These numbers shall contrast with their background.

(19) Section 304.14; change to read as follows:

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

(Text of exception unchanged)

(20) Section 304.18.1; change to read as follows:

304.18.1 Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For purposes of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Front doors shall also be equipped with a 180° peephole.

(21) Section 602.3; change to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. (Text of exceptions 1 and 2 unchanged)

(22) Section 602.4; change to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65° during the period the spaces are occupied.

. . . ."

SECTION 9. All provisions of the Ordinances of the City of Glenn Heights, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby amended and repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 10. If any article, paragraph or subdivision, clause or provision of this Ordinance shall be judged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be valid or unconstitutional.

SECTION 11. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Glenn Heights, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose

SECTION 12. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction in the municipal court shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 13. This ordinance shall take effect immediately from and after the publication of its caption, as the law in such cases provides.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS ON THIS THE _____DAY OF FEBRUARY, 2024.

APPROVED:

_____
Sonja A. Brown, Mayor

ATTEST:

_____
Brandi Brown, City Secretary

APPROVED AS TO FORM:

_____
Victoria W. Thomas, City Attorney
4870-7212-7129, v. 1

EXHIBIT A
[NCTCOG Amendments to 2021 Intl. Building Code]

North Central Texas
Council of Governments

Recommended Amendments to the 2021 International Building Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Building Code* are hereby amended as follows: Standard type is text from the IBC. Underlined type is text inserted. ~~Lined through type is deleted text from IBC.~~ A double asterisk (**) at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2021 code.

Explanation of Options A and B:
Please note that as there is a wide range in fire fighting philosophies / capabilities of cities across the region, OPTION "A" and OPTION "B" are provided in the Fire and Building Code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies / capabilities when adopting code amendments.

***Section 101.4; change to read as follows:**

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes. The former ICC Electrical Code is now ~~Appendix K~~ Chapter 27 of this code but no longer called by that name.)

***Section 101.4.8; add the following:**

101.4.8 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(Reason: This was dropped when ICC quit publishing the ICC Electrical Code, but the Electrical Code still should be referenced regardless of how it is adopted.)

****Sections 103 and 103.1; amend to insert the Department Name**

~~CODE COMPLIANCE AGENCY~~ [INSERT OFFICIAL BUILDING DEPARTMENT NAME OF JURISDICTION]
103.1 Creation of enforcement agency. The [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the *building official*.
[Remainder Unchanged]
(Reason: Reminder to be sure ordinance reads the same as designated by the city and amend Section 101.1.)

****Section [A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** *(Jurisdictions may consider the option **to amend or delete** depending on local enforcement and flood hazard ordinances.)*

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

Section 104.10.1; Flood hazard areas. *(Jurisdictions may consider the option **to amend or delete** depending on local enforcement and flood hazard ordinances.)*

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

(Note: Sections 104.2.1, 104.10.1, 110.3.12.1, 1612, and 3114 are all inter-connected related to flood hazard areas, and amendments or deletions should be considered as a whole.)

***Section 105.2 Work exempt from permit; under sub-title entitled "Building" delete items 1, 2, 10 and 11 and re-number as follows:**

Building:

~~1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m_2).~~

~~2. Fences not over 7 feet (1829 mm) high.~~

~~3.~~ 1. (Remainder Unchanged)

~~4.~~ 2. (Remainder Unchanged)

~~5.~~ 3. (Remainder Unchanged)

~~6.~~ 4. (Remainder Unchanged)

~~7.~~ 5. (Remainder Unchanged)

~~8.~~ 6. (Remainder Unchanged)

~~9.~~ 7. (Remainder Unchanged)

~~10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.~~

~~11.~~ 8. (Remainder Unchanged)

~~12.~~ 9. (Remainder Unchanged)
~~13.~~ 10. (Remainder Unchanged)

(Reason: Item~~s~~ deleted are for one- and two-family dwellings regulated by the International Residential Code. Accessory structures, fences and shade cloth structures would require a permit for commercial properties to ensure compliance with local ordinance, egress, accessibility, flame spread of fabric, wind/snow design load, etc.)

***Section 109; add Section 109.7 to read as follows:**

109.7 Re-inspection Fee. A fee as established by city council resolution may be charged when:

1. The inspection called for is not ready when the inspector arrives;

2. No building address or permit card is clearly posted;

3. City approved plans are not on the job site available to the inspector;

4. The building is locked or work otherwise not available for inspection when called;

5. The job site is red-tagged twice for the same item;

6. The original red tag has been removed from the job site.

7. Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

(Reason: This fee is not a fine or penalty but is designed to compensate for time and trips when inspections are called for when not ready.)

***Section 110.3.5; Lath, gypsum board and gypsum panel product inspection; Delete exception**

~~***Exception :** Gypsum board and gypsum panel products that are not part of a fire resistance rated assembly or a shear assembly.~~

(Reason: Lath or gypsum board inspections are not typically performed in this area. Deleting the exception would then require all gypsum panels to be inspected; this issue is resolved by leaving the exception intact.)

***Section 202; amend definition of Ambulatory Care Facility as follows:**

AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less than 24-hour basis to ~~individuals~~ persons who are rendered incapable of self-preservation by the services provided ~~or staff has accepted responsibility for care recipients already incapable~~. This group may include but not be limited to the following:

- Dialysis centers
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

*(Reason: To clarify the range of uses included in the definition. [Explanatory note related to **Ambulatory Care Facilities**: This group of uses includes medical or dental offices where persons are put under for dental surgery or other services. Section 903.2.2 will now require such uses to be sprinklered if on other than the floor of exit discharge or if four or more persons are put under on the level of exit discharge. Recommend (1.) jurisdictions document any pre-existing non-conforming conditions prior to issuing a new C of O for a change of tenant and, (2.) On any medical or dental office specify on C of O the maximum number of persons permitted to be put under general anesthesia. It is recommended that before a Certificate of Occupancy is issued, a letter of intended use from the business owner shall be included and a C of O documenting the maximum number of care recipients incapable of self-preservation allowed.)*

***Section 202; add definition of Assisting Living Facilities to read as follows.**

ASSISTED LIVING FACILITIES. *A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.*

(Reason: The code references Assisted Living facilities and definition was deleted.)

***Section 202; ~~add~~ amend definition of "Repair Garage" as follows:**

REPAIR GARAGE. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

(Reason: The code references aligns with fire code.)

***Section 202; amend definition of SPECIAL INSPECTOR to read as follows:**

SPECIAL INSPECTOR. A qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and ~~approved by~~ the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

(Reason: The registered design professional in responsible charge should be included.)

***Section 202; amend definition of HIGH-RISE BUILDING to read as follows:**

Option A
***Section 202;** *{No amendment necessary}*

Option B
***Section 202; amend definition to read as follows:**

HIGH-RISE BUILDING. A building with an occupied floor located more than ~~75~~ 55 feet ~~(22 860 mm)~~ (16 764 mm) above the lowest level of fire department vehicle access.

(Reason: To define high-rise, as it influences sprinkler requirement thresholds based on the fire fighting capabilities of a jurisdiction.)

***Section 303.1.3; add a sentence to read as follows:**

303.1.3 Associated with Group E occupancies. A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy~~,~~ ~~except~~ when applying the assembly requirements of Chapters 10 and 11.

(Reason: To clarify that egress and accessibility requirements are applicable for assembly areas, i.e. cafeteria, auditoriums, etc.)

***Section 304.1; add the following to the list of occupancies:**

Fire stations
Police stations with detention facilities for 5 or less

(Reason: Consistent with regional practice dating back to the legacy codes.)

***Section 307.1.1; add the following sentence to Exception 4:**

4. Cleaning establishments… *{Text unchanged}* …with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711 or both. See also IFC Chapter 21, Dry Cleaning Plant provisions.

(Reason: To call attention to detailed requirements in the Fire Code.)

***Section 403.1, Exception 3; change to read as follows:**

3. The open-air portion of a building *[remainder unchanged]*

(Reason: To clarify enclosed portions are not exempt.)

***Section 403.3, Automatic Sprinkler System. Delete exception;**

(Reason: To provide adequate fire protection to enclosed areas.)

***Section 403.3.2; change to read as follows:**

[F] 403.3.2 Water supply to required fire pumps. In buildings that are more than ~~420~~ 120 feet (36.5 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: {No change to exception.}

(Reason: The 2009 edition of the IFC added this requirement based on a need for redundancy of the water supply similar to the redundancy of the power supply to the fire pumps required for such tall buildings, partially due to the fact that these buildings are rarely fully evacuated in a fire event. More commonly, the alarm activates on the floor of the event, the floor above and the floor below. Back-up power to the fire pump becomes critical for this reason. Certainly, the power is pointless if the water supply is impaired for any reason, so a similar requirement is provided here for redundant water supplies. The 2015 edition changed the requirement to only apply to very tall buildings over 420 ft. This amendment modifies/lowers the requirement to 120 ft., based on this same height requirement for fire service access elevators. Again, the language from the 2009 and 2012 editions of the code applied to any high-rise building. This compromise at 120 ft. is based on the above technical justification of defend-in-place scenarios in fire incidents in such tall structures.)

****Section 403.3.2; change to read as follows:**

Section 404.10 Exit Stairways in an atrium. Where an atrium contains an ~~interior~~ exit access stairway all the following shall be met:

[Remainder Unchanged]

(Reason: The five provisions within Section 404.10 are applicable to exit access stairways, not interior exit stairways. As printed, this is an error, that if left uncorrected, would change among other core code provisions, how to measure travel distance to an enclosed exit stairway. There is use of the terms "exit stairway in an atrium" vs. "interior exit stairway" vs. "exit access stairway" that will cause confusion as to which provisions are applicable.)

***Section 406.3.3.1 Carport separation; add sentence to read as follows:**

A fire separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3048 mm).

(Reason: Simplifies the fire separation distance and eliminates the need to obtain opening information on existing buildings when adding carports in existing apartment complexes. Consistent with legacy codes in effect in region for years and no record of problems with car fires spreading to apartments as a result.)

****Section 423.5.1; change to read as follows:**

423.5.1 Required occupant capacity. The required occupant capacity of the storm shelter shall include all of the buildings on the site and shall be the ~~greater of the following:~~

~~1.The~~ Total occupant load of the classrooms, vocational rooms and offices in the Group E occupancy.
~~2.The occupant load of the largest indoor assembly space that is associated with the Group E occupancy.~~

Exceptions:

1. Where a new building is being added on an existing Group E site, and where the new building is not of sufficient size to accommodate the required occupant capacity of the storm shelter for all of the buildings on the site, the storm shelter shall at a minimum accommodate the required occupant capacity for the new building.
2. Where approved by the building official, the required occupant capacity of the shelter shall be permitted to be reduced by the occupant capacity of any existing storm shelters on the site.
3. Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by occupant load calculation, shall be permitted to be used in the determination of the required design occupant capacity for the storm shelter.

Reason: The language in the new exception is parallel to the language in Chapter 10 that gives an AHJ similar authority for fire egress occupant load, clarifying that an AHJ has the authority to reduce the required shelter occupant capacity based on rationale provided by a School District.)

*****Section 503.1.; add sentence to read as follows:**
503.1. General. [Existing Text to remain]

Where a building contains more than one distinct type of construction, the building shall comply with the most restrictive area, height, and stories, for the lesser type of construction or be separated by fire walls, except as allowed in Section 510.

(Reason: To create definite language that requires separation between dissimilar building types.)

*****Table 506.2; delete footnote i from table***

~~i. The maximum allowable area for a single-story non sprinklered Group U greenhouse is permitted to be 9000 square feet or the allowable area shall be permitted to comply with Table C102.1 of Appendix C.~~

(Reason: To eliminate the need for Appendix C adoption and remain consistent with 6000 sq. ft. sprinklering provision.)

*****Section 506.3.1; add sentence to read as follows:***

506.3.1 Minimum percentage of perimeter. [Existing Text remains]

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot-wide pathway meeting fire department access from the street or approved fire lane shall be provided.

(Reason: To define what is considered accessible. Consistent with regional amendment to IFC 503.1.1)

******Section 708.4.2; change sentence to read as follows:***

708.4.2 Fireblocks and draftstops in combustible construction. *[Body of text unchanged]*

Exceptions:

1. Buildings equipped with an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, or in accordance with Section 903.3.1.2 provided that sprinkler protection is provided in the space between the top of the fire partition and the underside of the floor or roof sheathing, deck or slab above as required for systems complying with Section 903.3.1.1. Portions of buildings containing concealed spaces filled with noncombustible insulation as permitted for sprinkler omission shall not apply to this exception for draftstopping. *[Remainder unchanged]*

Reason: The most common exception used to eliminate the need for sprinklers in concealed spaces of combustible construction is to fill the space with noncombustible insulation. This exception was changed in 2010 to permit a 2-inch air gap at the top of the filled space. A space compliant with the permitted omission above would allow hot gas and smoke to spread unimpeded throughout a building not provided with draftstopping. For this reason, omission of sprinklers permitted in accordance with NFPA 13 referenced standard should not be permitted with IBC exception requiring draftstopping in combustible construction.

***Section 718.3; change sentence to read as follows:**

718.3 Draftstopping in floors. *[Body of text unchanged]*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the floor space.

(Reason: To remain consistent with changes in 708.4.2 IBC code.)

***Section 718.4; change sentence to read as follows:**

718.4 Draftstopping in attics. *[Body of text unchanged]*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and provided that in combustible construction, sprinkler protection is provided in the attic space.

(Reason: To remain consistent with changes in 708.4.2 IBC code.)

***Section 901.6.1; add Section 901.6.1.1 to read as follows:**

901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed or inspected by approved camera when foreign material is present or when caps are missing, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required

pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.

3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.

4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the *fire code official*.

5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.

6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.

7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.

8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected nighttime freezing conditions.

9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.

(Reason: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25 relative to standpipe systems, as well as ensuring that FDC connections are similarly tested/maintained to ensure operation in an emergency incident.)

***Section 903.1.1; change to read as follows:**

903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted ~~instead of~~ in addition to automatic sprinkler protection where recognized by the applicable standard ~~and~~, or as *approved* by the *fire code official*.

(Reason: Such alternative systems do not provide the reliability of automatic sprinkler protection. Most gaseous type systems are highly susceptible to open doors, ceiling or floor tile removal, etc. However, an applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the fire code official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths.)

***Section 903.2; add paragraph to read as follows and delete the exception for telecommunications buildings:**

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be

provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3005.4, such that passive fire barriers for these areas are maintained. The exception deletion is due to the fact that such telecom areas pose an undue fire risk to the structural integrity of the building.)

******Section 903.2.4.2; change to read as follows:***

903.2.4.2 Group F-1 distilled spirits. An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits involving more than 120 gallons of distilled spirits (>16% alcohol) in the fire area at any one time.

(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small distillery type operations without sprinkler requirements as has been historically allowed.)

*****Section 903.2.9.3; change to read as follows:**

903.2.9.3 Group S-1 distilled spirits or wine. An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine involving more than 120 gallons of distilled spirits or wine (>16% alcohol) in the fire area at any one time.

(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small storage operations without sprinkler requirements as has been historically allowed.)

*****Section 903.2.9.4 and 903.2.9.5; delete Exception to 903.2.9.4 and add Section 903.2.9.5 to read as follows:***

903.2.9.5 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

(Reason: Fire departments are unable to regularly inspect the interior of these commercial occupancies and are unaware of the contents being stored. Previous allowance to separate units by fire barriers is difficult to enforce maintenance after opening.)

****Option A**
Section 903.2.11; change 903.2.11.3 and add 903.2.11.7 and 903.2.11.8, as follows:

903.2.11.3 Buildings 55 Feet or more in Height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more~~, other than penthouses in compliance with Section 1510 of the *International Building Code*, located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.
~~**Exceptions:**~~

~~2. Occupancies in Group F-2.~~

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

****Option B**
Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:

903.2.11.3 Buildings ~~55~~ 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more~~, other than penthouses in compliance with Section 1510 of the *International Building Code*, located ~~55~~ 35 feet (~~16 764~~ 10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

~~Exceptions:~~

~~2. Occupancies in Group F-2.~~

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

903.2.11.9 Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the *International Building Code* where all of the following conditions apply:

a. The structure is freestanding.
b. The structure does not contain any mixed uses, accessory uses, storage rooms, electrical rooms, elevators or spaces used or occupied for anything other than motor vehicle parking.
c. The structure does not exceed 3 stories.
d. An approved fire apparatus access road is provided around the entire structure.

(Reason: Provides jurisdictions options as to their desired level of sprinkler protection based on multiple factors including firefighting philosophies/capabilities.)

*****Section 903.3.1.1.1; change to read as follows:***

903.3.1.1.1 Exempt Locations. When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such *...{text unchanged}…* because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the

remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

4. ~~In rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
5. ~~Fire service access~~ Elevator machine rooms, ~~and~~ machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. {Delete.}

(Reason: Gives clarification. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirement.)

******Section 903.3.1.2; change to read as follows:***

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or less above grade plane.
2. The floor level of the highest story is ~~30~~ 35 feet (~~9144~~ 10668 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is ~~30~~ 35 feet (~~9144~~ 10668 mm) or less below the lowest level of fire department vehicle access.

{No change to remainder of section.}

(Reason: The change to the 2021 IFC over-reached to limit 13R systems to 30 ft. high at topmost floor level, which basically results in limiting 13R systems to 3 story buildings in reality. This change to 35 ft. would still allow 13R systems in 4 story apartment buildings, as has been allowed historically and as intended by 13R's scope.)

******Section 903.3.1.2.2; change to read as follows:***

903.3.1.2.2 Corridors and balconies ~~in the means of egress~~. Sprinkler protection shall be provided in all corridors and for all balconies. ~~in the means of egress where any of the following conditions apply:~~ *{Delete the rest of this section.}*

(Reason: Corridor protection is critical to the means of egress, and corridors are regularly utilized for miscellaneous storage, fixtures, artwork, food kiosks and beverage dispensers, and furnishings. Balcony protection is required due to issues with fire exposure via soffit vents and the potential for significant combustible loading.)

*****Section 903.3.1.2.3; delete section and replace as follows:***

Section 903.3.1.2.3 Attached Garages and Attics. Sprinkler protection is required in attached garages, and in the following attic spaces:

1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.
2. Where fuel-fired equipment is installed in an unsprinklered attic, not fewer than one quick-response intermediate temperature sprinkler shall be installed above the equipment.
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following:
    4.1. Provide automatic sprinkler system protection.

4.2. Provide a heat detection system throughout the attic that is arranged to activate the building fire alarm system.
4.3. Construct the attic using noncombustible materials.
4.4. Construct the attic using fire-retardant-treated wood complying with Section 2303.2 of the International Building Code.
4.5. Fill the attic with noncombustible insulation.

(Reason: Attic protection is required due to issues with fire exposure via soffit vents, as well as firefighter safety. Several jurisdictions indicated experience with un-protected attic fires resulting in displacement of all building occupants. NFPA 13 provides for applicable attic sprinkler protection requirements, as well as exemptions to such, based on noncombustible construction, etc. Attached garages already require sprinklers via NFPA 13R – this amendment just re-emphasizes the requirement.)

***Section 903.3.1.3; change to read as follows:**

903.3.1.3 NFPA 13D Sprinkler Systems. *Automatic sprinkler systems* installed in one- and two-family *dwellings*; Group R-3; Group R-4, Condition 1; and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

(Reason: To allow the use of the Plumbing section of the International Residential Code (IRC) and recognize current state stipulations in this regard.)

***Section 903.3.1.4; add to read as follows:**

[F] 903.3.1.4 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

903.3.1.4.1 Attics. Only dry pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

(Reason: In the last few years, severe winters brought to light several issues with current practices for sprinklering attics, not the least of which was wet-pipe sprinklers in ventilated attics provided with space heaters, etc. for freeze protection of such piping. This practice is not acceptable for the protection of water-filled piping in a ventilated attic space as it does not provide a reliable means of maintaining the minimum 40 degrees required by NFPA, wastes energy, and presents a potential ignition source to the attic space. Listed antifreeze is specifically included because NFPA currently allows such even though there is no currently listed antifreeze at the time of development of these amendments. The intent of this amendment is to help reduce the large number of freeze breaks that have occurred in the past with water-filled wet-pipe sprinkler systems in the future, most specifically in attic spaces.)

***Section 903.3.5; add a second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every water-based fire protection system shall be designed with a 10-psi safety factor. Reference Section 507.4 for additional design requirements.

(Reason: To define uniform safety factor for the region.)

***Section 903.4; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(Reason: To avoid significant water losses. Consistent with amendment to IFC 905.9.)

***Section 903.4.2; add second paragraph to read as follows:**

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

(Reason: Fire department connections are not always located at the riser; this allows the fire department faster access and ease of recognition of the FDC location, especially at night.)

***Section 905.2; change to read as follows:**

905.2 Installation Standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm.)

****Section 905.3; add Section 905.3.9 and exception to read as follows:**

905.3.9 Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the fire code official.
2. R-2 occupancies of four stories or less in height having no interior corridors.

(Reason: Allows for the rapid deployment of hose lines to the body of the fire in larger structures.)

***Section 905.4; change Items 1, 3, and 5, and add Item 7 to read as follows:**

1. In every required ~~interior~~ exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.

   Exception: {No change.}

2. {No change.}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.
   Exception: Where floor areas adjacent to an exit passageway are reachable from an ~~interior~~ exit stairway hose connection by a {remainder of text unchanged}
4. {No change.}
5. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way ~~a~~ hose connection ~~shall be~~ located to serve the roof or at the highest landing of an ~~interior~~ exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change.}
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

(Reason: Item 1, 3, and 5 amendments to remove 'interior' will help to clarify that such connections are required for all 'exit' stairways, to ensure firefighter capabilities are not diminished in these tall buildings, simply because the stair is on the exterior of the building. Item 5 reduces the amount of pressure required to facilitate testing and provides backup protection for fire fighter safety. Item 7 allows for the rapid deployment of hose lines to the body of the fire.)

******Section 905.8; change to read as follows:***

905.8 Dry standpipes. Dry standpipes shall not be installed.
Exception: Where subject to freezing and in accordance with NFPA 14. Additionally, manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low Supervisory alarm.

(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm. NFPA 14 requires supervisory air for such but does not provide pressure criteria for what that means. This is a long-standing regional requirement.)

*****Section 905.9; add a second paragraph after the exceptions to read as follows:***

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(Reason: To avoid significant water losses. Consistent with amendment to IFC 903.4.)

******Section 906.1(1); delete Exception #3 as follows:***

~~3. In storage areas of Group S occupancies where forklift, powered industrial truck or powered cart operators are the primary occupants,~~
~~fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:~~
~~3.1. Use of vehicle-mounted extinguishers shall be approved by the fire code official.~~
~~3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved~~
~~by the extinguisher manufacturer or the fire code official for vehicular use.~~
~~3.3. Not less than two spare extinguishers of equal or greater rating shall be available on-site to replace a discharged extinguisher.~~

~~3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.~~
~~3.5. Inspections of vehicle-mounted extinguishers shall be performed daily.~~

(Reason: This provision of only having vehicle-mounted fire extinguishers is not at all consistent with historical practice of requiring extinguishers throughout based on travel distance. Often times, the vehicle is what has caused the incident and/or may be the source of the incident, so having the extinguisher vehicle-mounted results in greater potential injury of the user. This assumes the only occupants in the building are on a vehicle, which again, significantly reduces access to fire extinguishers throughout the building to other occupants. Future use of the building/tenancy may change further complicating the issue.)

***Section 907.1; add Section 907.1.4 to read as follows:**

907.1.4 Design Standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

(Reason: Provides for the ability of descriptive identification of alarms and reduces need for panel replacement in the future. Updated wording to match the language of the new requirement at 907.5.2.3. Change of terminology allows for reference back to definitions of NFPA 72.)

***Section 907.2.1; change to read as follows:**

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies ~~where the~~ having an occupant load ~~due to the assembly occupancy is~~ of 300 or more persons, or where the ~~Group A~~ occupant load is more than 100 persons above or below the *lowest level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

(Reason: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices or reduces ability of fire alarm system to notify occupants of the emergency condition.)

***Section 907.2.3; change to read as follows:**

907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. {No change.}
   1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.) {No change to remainder of exceptions.}

(Reason: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems. Exceptions provide consistency with State law concerning such occupancies.)

******Section 907.2.10; change to read as follows:***

907.2.10 Group S. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies ~~three stories or greater in height~~ for interior corridors and interior common areas. Visible notification appliances are not required within storage units.

Exception: {No change.}

(Reason: Because of the potential unknown fire load and hazards in self-storage type facilities, which could include flammable liquids for instance, as well as other hazardous materials, prompt evacuation in the event of fire alarm is needed; therefore, notification in the corridors/common areas is critical to all such occupancies, regardless of height.

*****Section 907.2.13, Exception 3; change to read as follows:***

3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.

(Reason: To indicate that enclosed areas within open air seating type occupancies are not exempted from automatic fire alarm system requirements.)

*****Section 907.4.2; add Section 907.4.2.7 to read as follows:***

907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.

(Reason: Helps to reduce false alarms.)

*****Section 907.6.1; add Section 907.6.1.1 to read as follows:***

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

(Reason: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)

*****Section 907.6.3; delete all four Exceptions.***

(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems.)

***Section 907.6.6; add sentence at end of paragraph to read as follows:**

See 907.6.3 for the required information transmitted to the supervising station.

(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This was moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections (legacy language).

(Reason: Deleted Previous code amendment Section 909.22, For removal because it is already in the code in Sections 909.20.5, 909.20.6, 909.20.6.1, 909.20.6.2, and 909.20.6.3.)

***Section 910.2; change read and change Exception 2 and 3 to read as follows:**

910.2 Where required. Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1, 910.2.2, and 910.3.2.

2. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with control mode special application sprinklers with a response time index of 50$(m*S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while still prohibiting such systems from being automatically activated, which is a potential detriment to the particular sprinkler systems indicated.)

***Section 910.2.3; add to read as follows:**

910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m^2) in single floor area.

   Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

   Exception: Buildings of noncombustible construction containing only noncombustible materials.

(Reason: Maintains a fire protection device utilized in such occupancies where it is sometimes necessary to allow chemicals to burn out, rather than extinguish. This is based on legacy language establishing long-standing historical practice.)

***Section 910.4.3.1; change to read as follows:**

910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be ~~manual or~~ automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m2 per 0.4719 m3/s) of smoke exhaust.

(Reason: Makeup air has been required to be automatic for several years now in this region when mechanical smoke exhaust systems are proposed. This allows such systems to be activated from the smoke control panel by first responders without having to physically go around the exterior of the building opening doors manually. Such requires a significant number of first responders on scene to conduct this operation and significantly delays activation and/or capability of the smoke exhaust system.)

***Section 912.2; add Section 912.2.3 to read as follows:**

912.2.3 Hydrant Distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

(Reason: To accommodate limited hose lengths, improve response times where the FDC is needed to achieve fire control, and improve ease of locating a fire hydrant in those situations also. Also, consistent with NFPA 14 criteria.)

****Section 913.2.1; add Section 913.2.1.1 and exception to read as follows:**

913.2.1.1 Fire Pump Room Access. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by IFC Section 506.1.

> **Exception:** When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by IFC Section 506.1.

(Reason: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)

****Section 1006.2.1 change exception 3 to read as follows**;**
Section 1006.2.1 Egress based on occupant load and common path of egress travel distance.

3. Unoccupied rooftop mechanical rooms and penthouses are not required to comply with the common path of egress travel distance measurement.

(Reason: Add "rooftop" to Exception No. 3 to clarify that only such mechanical rooms located on the roof maybe exempted.)

****Section 1009.8 Two Way Communication; add the following Exception 7:**
[Text Remains]

Exceptions:
7. Buildings regulated under State Law and built in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and Chapter 11.

(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments in Chapter 11.)

***Section 1010.2.5 Bolt Locks; amend exceptions 3 and 4 as follows:**

Exceptions:
3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy. (remainder unchanged)
4. Where a pair of doors serves a Group A, B, F, M or S occupancy (remainder unchanged)

(Reason: It is common in our region to see the 2nd leaf locked, when that leaf is not part of the required egress door clear width, such as in a typical Group M. Exception No. 4 was expanded to Group A due to it being a similar situation for Group A restaurants.)

Section 1020.2 Construction; add new exception 6 as follows:

6. In unsprinklered group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector must activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors must be connected to an approved automatic fire alarm system where such system is provided.

(Reason: Similar concept was previously in UBC. This scenario occurs primarily in existing, non-sprinklered buildings, which under current IBC would be required to have a fire resistance rated corridor. New exception provides a cost-effective solution for single tenant space in lieu of the base IBC requirement to retrofit a fire sprinkler system throughout the building.)

Section 1030.1.1.1 Spaces under grandstands and bleachers; delete this section.

(Reason: Unenforceable.)

Section 1101.1 Scope; add exception to Section 1101.1 as follows:

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

(Reason: To accommodate buildings regulated under state law. Further clarified in 2018 to mean components that are specifically addressed by TDLR shall be exempt.)

****Section 1809.5.*1 Frost Protection at required exits**; **delete this section**

(Reason: frost protection at exit doors is not needed in our climate zone)

***Section 2702.5; added to read as follows:**

Section 2702.5 Designated Critical Operations Areas (DCOA): In areas within a facility or site requiring continuous operation for the purpose of public safety, emergency management, national security or business continuity, the power systems shall comply with NFPA 70 Article 708.

(Reason: Identifying these areas of critical operations in the building code ensures designers are advised of the requirements outlined in the National Electrical Code which defines specific Critical Operations Power System (COPS) requirements.)

*****Section 2901.1; add a sentence to read as follows:***

[P] 2901.1 Scope. {*existing text to remain*} The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

(Reason: Gives building official discretion.)

*****Section 2902.1; add a second paragraph to read as follows:***

In other than E Occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the Building Official.

(Reason: To allow flexibility for designer to consider specific occupancy needs.)

*****Table 2902.1; add footnote g to read as follows:***

g. Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining and/or drinking establishments.

(Reason: To allow flexibility for designer to consider specific occupancy needs.)

****Add Section 2902.1.4 to read as follows:**

2902.1.4 Additional fixtures for food preparation facilities. In addition to the fixtures required in this Chapter, all food service facilities shall be provided with additional fixtures set out in this section.

2902.1.4.1 Hand washing lavatory. At least one hand washing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional hand washing lavatories may be required based on convenience of use by employees.

2902.1.4.2 Service sink. In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the **<Jurisdiction's>** health department.

(Reason: Coordinates Health law requirements with code language for consistent regional practice.)

****Section 3002.1 Hoistway Enclosure Protection required. Add exceptions as follows:**

Exceptions:

1. Elevators completely located within atriums shall not require hoistway enclosure protection.
2. Elevators in open or enclosed parking garages that serve only the parking garage, shall not require hoistway enclosure protection.

(Reason: Provides specific Code recognition that elevators within atriums and within parking garages do not require hoistway enclosure protection. Amendment needed since specific Code language does not currently exist.)

*****Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces; Delete exceptions and add two new exceptions to as follows:**

Exceptions:

1. Elevator machine rooms, control rooms, machinery spaces and control spaces completely located within atriums shall not require enclosure protection.

2. Elevator machine rooms, control rooms, machinery spaces and control spaces in open or enclosed parking garages that serve only the parking garage, shall not require enclosure protection.

(Reason: This amendment eliminates the Exceptions to Section 3005.4 such that passive enclosures for these areas are to be provided and maintained. The fire rating of these enclosures is permitted to be omitted by the above added exceptions where allowed by other provisions of the code such as in atriums and parking structures. See companion change to eliminate fire sprinklers to eliminate the need for shunt trip system.)

*****Section 3005.5: Add a new subsection to Section 3005.5.1 as follows:**

3005.5.1 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.

3005.5.1.1 Automatic sprinkler system. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, except as otherwise permitted by Section 903.3.1.1.1 and as prohibited by Section 3005.5.1.1.1.

3005.5.1.1.1 Prohibited locations. Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoistways.

3005.5.1.1.2 Sprinkler system monitoring. The sprinkler system shall have a sprinkler control valve supervisory switch and water-flow initiating device provided for each floor that is monitored by the building's fire alarm system.

3005.5.1.2 Water protection. An approved method to prevent water from infiltrating into the hoistway enclosure from the operation of the automatic sprinkler system outside the elevator lobby shall be provided.

3005.5.1.3 Omission of Shunt trip. Means for elevator shutdown in accordance with Section 3005.5 shall not be installed.

(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. The new section above is intended to be identical to Sections 3007.2, 3007.3, and 3007.4 for Fire Service Access Elevators and Sections 3008.2, 3008.3 and 3008.4 for Occupant Evacuation Elevators.)

****Section 3005.8; add Section 3005.8 as follows:**

3005.8 Storage. Storage shall not be allowed within the elevator machine room, control room, machinery spaces and or control spaces. Provide approved signage at each entry to the above listed locations stating: "No Storage Allowed.

(Reason: Reinforces the need to maintain space clean and free of combustibles. See companion change to eliminate fire sprinklers therein, Section 3005.5.1.)

Option A
Section 3006.2, Hoistway opening protection required; Insert new text as follows:

5. The building is a high rise and the elevator hoistway is more than 75 feet (22 860 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway."

Option B
Section 3006.2, Hoistway opening protection required; Revise text as follows:

5. The building is a high rise and the elevator hoistway is more than ~~75 feet (22 860 mm)~~ 55 feet (16 764 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway."

(Reason: 2018 IBC text does not address hoistways that are greater than 75'-0" in height that are both below grade and above grade but not located above the high-rise classification nor does the IBC address hoistways wholly located above grade such as those that serve sky lobbies".)

****Section 3007.3 and Section 3008.3: Revise text by deleting "enclosed" as follows:**

3007.3 Water Protection. Water from the operation of an automatic sprinkler system outside the ~~enclosed~~ lobby shall be prevent from infiltrating into the hoistway enclosure in accordance with an approved method.

3008.3 Water Protection. Water from the operation of an automatic sprinkler system outside the ~~enclosed~~ lobby shall be prevent from infiltrating into the hoistway enclosure in accordance with an approved method.

(Reason: The lobbies for FSAE and or OEE elevators may be open (i.e., at ground level), or may not require a lobby enclosure on those upper floors with secondary cab entry doors opening into a nonrequired FSAE or OEE lobby. Regardless of whether or not the lobby is enclosed, the objective is to preclude fire sprinkler water from entering into the hoistway serving FSAE and OEE elevators. The deletion of "enclosed" clarifies the original intent of this provision and is consistent with ICC interpretations.)

End

EXHIBIT B
[NCTCOG Amendments to 2021 Intl. Residential Code]

North Central Texas
Council of Governments

Recommended Amendments to the 2021 International Residential Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Residential Code* are hereby amended as follows: Standard type is text from the IRC. Underlined type is text inserted. ~~Lined through type is deleted text from IRC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk identifies a new or revised amendment with the 2021code.

In 2009, **the State Legislature enacted SB 1410 prohibiting cities from enacting fire sprinkler mandates in residential dwellings.** However, jurisdictions with ordinances that required sprinklers for residential dwellings prior to and enforced before January 1, 2009, may remain in place. Reference; Section R313 Automatic Fire Sprinkler Systems.

The energy provisions in IRC Chapter 11 is deleted in its entirety.
Reference the 2021 IECC for energy code provisions and recommended amendments.

***Section R102.4; change to read as follows:**

R102.4 Referenced codes and standards. The *codes*, when specifically adopted, and standards referenced in this *code* shall be considered part of the requirements of this *code* to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2. Whenever amendments have been adopted to the referenced *codes* and standards, each reference to said *code* and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

*** Section R103 and R103.1 amend to insert the Department Name**

~~DEPARTMENT OF BUILDING SAFETY~~ [INSERT OFFICIAL BUILDING DEPARTMENT NAME OF JURISDICTION]

R103.1 Creation of enforcement agency. The ~~Department of Building Safety~~ [INSERT OFFICIAL BUILDING DEPARTMENT NAME OF JURISDICTION] is hereby created and the official in charge thereof shall be known as the *building official*.

(Reason: Reminder to be sure ordinance reads the same as designated by the city.)

***Section R104.10.1 Flood Hazard areas; delete this section.**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

***Section R105.3.1.1& R106.1.4; delete these sections.**

(Reason: Floodplain provisions are addressed locally.)

***Section R110 (R110.1 through R110.5); delete the section.**

(Reason: Issuing CO's for residences is not a common practice in the area.)

****Section R202; change definition of "Townhouse Unit" to read as follows:**

TOWNHOUSE UNIT. A single-family dwelling unit separated by property lines in a townhouse that extends from foundation to roof and that has a yard or public way on not less than two sides.

(Reason: To distinguish Townhouse Units within a Townhouse building on separate lots.)

******Table R301.2 (1); fill in as follows:***

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY[f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP[e]	ICE BARRIER UNDER-LAYMENT[h]	FLOOD HAZARDS[g]	AIR FREEZING INDEX[i]	MEAN ANNUAL TEMP[j]
	SPEED[d] (MPH)	Topographic Effects[k]	Special Wind Region[L]	Windborne Debris Zone[m]		Weathering a	Frost Line Depth[b]	Termite[c]					
5 lb/ft	115 (3 sec-gust)/ 76 fastest mile	No	No	No	A	Moderate	6"	Very Heavy	22^0 F	No	Local Code	150	64.9^0 F

Delete remainder of table Manual J Design Criteria and footnote N

(Reason: To promote regional uniformity. Manual J is utilized by third party and not part of performed plan reviews. This is reference table only, not needed.)

*****Section R302.1; add exception #6 to read as follows:***

Exceptions: *{previous exceptions unchanged}*

6. Open non-combustible carport structures may be constructed when also approved within adopted ordinances.

(Reason: Refers to other ordinances, such as zoning ordinances.)

*****Section R302.3; add Exception #3 to read as follows:***

Exceptions:

1. *{existing text unchanged}*
2. *{existing text unchanged}*
3. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

(Reason: Provide guidance for a common construction method in this area. Correlates with amendment to IRC Section R202 Townhouse definition.)

*****Section R302.2.6; delete exception #6:**

Exceptions: {previous exceptions unchanged}

~~6. Townhouse units protected by a fire sprinkler system complying with Section P2904 or NFPA 13D.~~

(Reason: To remain consistent with separated townhouse units and property lines.)

***Section R302.5.1; change to read as follows:**

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors. ~~Equipped with a self-closing or automatic closing device.~~

(Reason: Absence of data linking self-closing devices to increased safety. Self-closing devices often fail to close the door entirely.)

***Section R303.3, Exception; amend to read as follows:**

Exception: {existing text unchanged**}** Spaces containing only a water closet or water closet and a lavatory may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

(Reason: Consistent with common local practice as recirculating fans are recognized as acceptable air movement.)

***R307.3 Blocking.** Required at one toilet at grade level. Blocking per Sec. R307.4 and Figure 307.4, shall be installed at rear wall and one wall adjacent to toilet at the lowest living level where a toilet is provided.

***R307.4 Blocking.** Blocking may be ½" plywood or equivalent or 2 x solid wood blocking flush with wall.

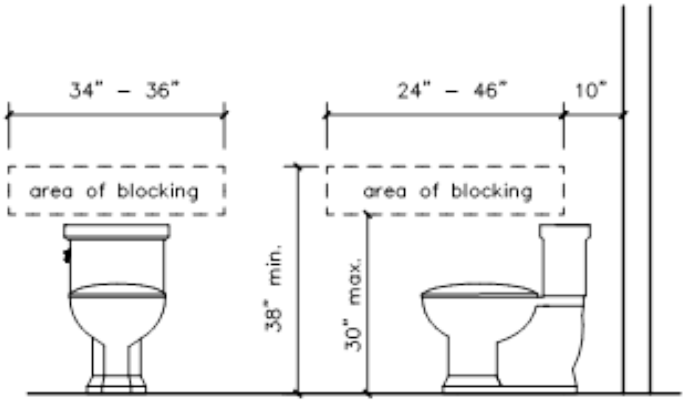


Figure 307.4

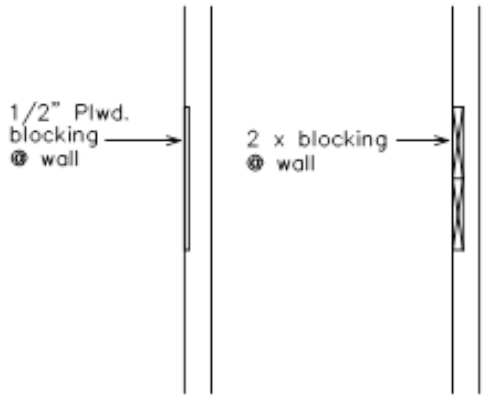


Figure 307.4

(Reason: Blocking at initial construction allows for ease of use for future grab bar installation if desired for homeowners. Ties into Dallas Builders Association of Universal Design Elements concepts for CAPS (Certified Aging in Place Specialists) professionals.)

***Section R313.2 One and Two Family Dwellings; Delete this section and subsection in their entirety.**

(Reason: In 2009, the State Legislature enacted SB 1410, amending section 1301.551 subsection I of the occupation code, prohibiting cities from enacting fire sprinkler mandates one or two family dwellings only. However, jurisdictions with ordinances that required sprinklers for one or two family dwellings prior to and enforced before January 1, 2009, may remain in place.*)*

***Section R315.2.2 Alterations, repairs and additions; amend to read as follows:**

Exception:
1. [existing text remains]
2. Installation, alteration or repairs of all electrically powered mechanical systems or plumbing appliances.

(Reason: Revised exception for clarity. Code intent is to protect against the products of combustion.)

***Section R322 Flood Resistant Construction; deleted section.**

(Reason: Floodplain hazard ordinances may be administered by other departments within the city.)

****Section 327.1.1; add to read as follows:**

Section 327.1.1 Adjacency to Structural Foundation. Depth of the swimming pool and spa shall maintain a ratio of 1:1 from the nearest building foundation or footing of a retaining wall.

Exception:
A sealed engineered design drawing of the proposed new structure shall be submitted for approval.

(Reason: To clarify specific distances for pools and spas.)

****Section R401.2; amended by adding a new paragraph following the existing paragraph to read as follows.**

Section R401.2. Requirements. *{existing text unchanged} …*

Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Texas-registered engineer.

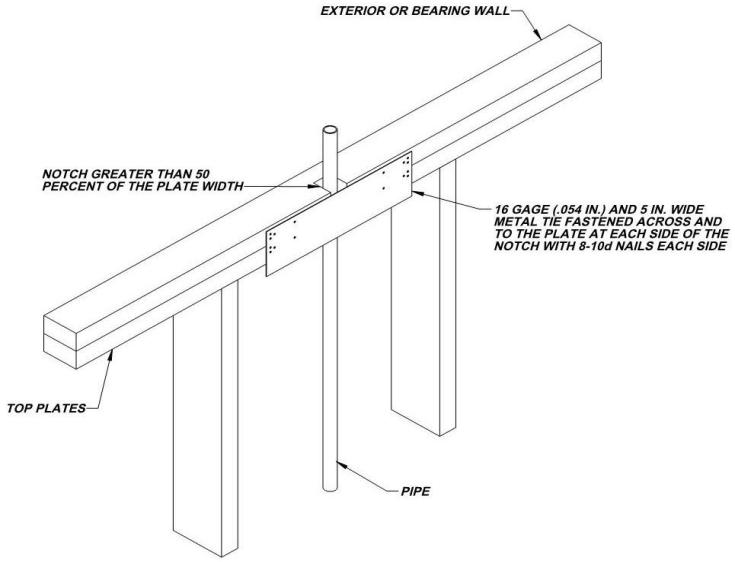
(Amendment to 2015 IRC carried forward to 2018 IRC.)

***Section R602.6.1; amend the following:**

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and ~~1 ½ inches (38) mm~~ 5 inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1. {remainder unchanged}

(Amendment to 2015 IRC carried forward to 2018 IRC.)

***Figure R602.6.1; delete the figure and insert the following figure:**



(Amendment to 2015 IRC carried forward to 2018 IRC also provides additional assurance of maintaining the integrity of the framing by spreading the nailing pattern.)

*****Add section R703.8.4.1.2 Veneer Ties for Wall Studs; to read as follows:***

R703.8.4.1.2 Veneer Ties for Wall Studs. In stud framed exterior walls, all ties may be anchored to studs as follows:

1. When studs are 16 in (407 mm) o.c., stud ties shall be spaced no further apart than 24 in (737 mm) vertically starting approximately 12 in (381 mm) from the foundation; or

2. When studs are 24 in (610 mm) o.c., stud ties shall be spaced no further apart than 16 in (483 mm) vertically starting approximately 8 in (254 mm) from the foundation.

(This amendment had been a carry over amendment for years to provide clear instruction for placement of brick ties. It is now retained with changes to reflect its correct placement and use for clarity when attachment to framing lumber (studs). It should remain for those purposes. It is in addition to the new new Table in 2018 which provides for brick ties directly to sheathing.)

*****Section R902.1; amend and add exception #5 to read as follows:***

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B, or C roofing shall be installed. ~~in designated by law as requiring their use or when the edge of the roof is less than 3 feet from a lot line~~. *{remainder unchanged}*

Exceptions:
1. *{text unchanged}*
2. *{text unchanged}*
3. *{text unchanged}*
4. *{text unchanged}*
5. Non-classified roof coverings shall be permitted on one-story detached *accessory structures* used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed (area defined by jurisdiction).

(Reason: to address accessory structures Group U exempt from permits per Section R105.2)

**** Chapter 11 [RE] – Energy Efficiency is deleted in its entirety; Reference the 2021 IECC for energy code provisions and recommended amendments.**

(Reason: The recommended energy code changes from the Energy and Green Advisory Board update the amendments for Chapter 11. The 2021 International Energy Conservation Code should be referenced for residential energy provisions. This approach simply minimizes the number of amendments to the IRC.)

*****Section M1305.1.2; change to read as follows:***

M1305.1.2 Appliances in attics. Attics containing appliances shall be provided . . . {bulk of paragraph unchanged} . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest appliance. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An *access* door from an upper floor level.

Exceptions**:** [remaining text unchanged]

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IFGC and IMC 306.3.)

*****Section M1411.3; change to read as follows:***

M1411.3 Condensate disposal. Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to ~~an *approved* place of disposal~~ a sanitary sewer through a trap, by means of a direct or indirect drain. *{remaining text unchanged}*

(Reason: Reflects regional practice and to reduce excessive runoff into storm drains.)

*****Section M1411.3.1, Items 3 and 4; add text to read as follows:***

M1411.3.1 Auxiliary and secondary drain systems. *{bulk of paragraph unchanged}*

1. *{text unchanged}*
2. *{text unchanged}*
3. An auxiliary drain pan… *{bulk of text unchanged}…* with Item 1 of this section. A water level detection device may be installed only with prior approval of the *building official.*
4. A water level detection device… *{bulk of text unchanged}…* overflow rim of such pan. A water level detection device may be installed only with prior approval of the *building official.*

(Reason: Reflects standard practice in this area.)

*****Section M1411.3.1.1; add text to read as follows:***

M1411.3.1.1 Water-level monitoring devices. On down-flow units …*{bulk of text unchanged}*… installed in the drain line. A water level detection device may be installed only with prior approval of the *building official.*

(Reason: Reflects standard practice in this area.)

*****M1503.6 Makeup Air Required; amend and add exception as follows:***

M1503.6 Makeup air required. Where one or more gas, liquid or solid fuel-burning appliance that is neither direct-vent nor uses a mechanical draft venting system is located within a dwelling unit's air barrier, each exhaust system capable of exhausting in excess of 400 cubic feet per minute (0.19 m^3/s) shall be mechanically or passively provided with makeup air at a rate approximate~~ly equal~~ to the difference between exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with not fewer than one damper complying with Section M1503.6.2.

Exception*:* Makeup air is not required for exhaust systems installed for the exclusive purpose of space cooling and intended to be operated only when windows or other air inlets are open**.** Where all appliances in the house are of sealed combustion, power-vent, unvented, or electric, the exhaust hood system shall be permitted to exhaust up to 600 cubic feet per minute (0.28 m3/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m3/s) shall be provided with a makeup air at a rate approximately to the difference between the exhaust air rate and 600 cubic feet per minute.

(Reason: Exception requires makeup air equaling the amount above and beyond 400 cfm for larger fan which will address concerns related to "fresh" air from the outdoors in hot humid climates creating a burden on HVAC equipment and negative efficiency impacts from back-drafting and wasted energy.)

*****Section M2005.2; change to read as follows:***

M2005.2 Prohibited locations. Fuel-fired water heaters shall not be installed in a room used as a storage closet. Water heaters located in a bedroom or bathroom shall be installed in a sealed enclosure so that *combustion air* will not be taken from the living space. Access to such enclosure may be from the bedroom or bathroom when through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the *International Energy Conservation Code* and equipped with an *approved* self-closing device. Installation of direct-vent water heaters within an enclosure is not required.

(Reason: Corresponds with the provisions of IFGC Section 303.3, exception #5.)

*****Section G2408.3 (305.5)Private Garages; delete this section in its entirety.***

(Reason: This provision does not reflect standard practice in this area.)

*****Section G2415.2 (404.2) CSST; add a second paragraph to read as follows:***

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an *approved* tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING: 1/2 to 5 psi gas pressure - Do Not Remove"

(Reason: To protect homeowners and plumbers.)

*****Section G2415.12 (404.12) and G2415.12.1 (404.12.1); change to read as follows:***

G2415.12 (404.12) Minimum burial depth. Underground *piping systems* shall be installed a minimum depth of ~~12 inches (305 mm)~~ 18 inches (457 mm) below grade, ~~except as provided for in Section G2415.12.1.~~

G2415.12.1 (404.12.1) Individual Outdoor Appliances; Delete in its entirety

(Reason: To provide increased protection to piping systems.)

*****Section G2417.1 (406.1); change to read as follows:***

G2417.1 (406.1) General. Prior to acceptance and initial operation, all *piping* installations shall be inspected and *pressure tested* to determine that the materials, design, fabrication, and installation practices comply with the requirements of this *code*. The *permit* holder shall make the applicable tests prescribed in Sections 2417.1.1 through 2417.1.5 to determine compliance with the provisions of this *code*. The *permit* holder shall give reasonable advance notice to the *building official* when the *piping system* is ready for testing. The *equipment*, material, power and labor necessary for the inspections and test shall be furnished by the *permit* holder and the *permit* holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

(Reason: To utilize language used in the IPC regarding who is responsible for testing procedures.)

***Section G2417.4; change to read as follows:**

G2417.4 (406.4) Test pressure measurement. Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. ~~Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure.~~

(Reason: To require the use of more accurate diaphragm gauges. Spring gauges do not provide accurate measurement below approximately 17 psig.)

***Section G2417.4.1; change to read as follows:**

G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, ~~irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.~~ For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 ½"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

(Reason: To provide for lesser pressures to coordinate with the use of more accurate diaphragm gauges.)

***Section G2417.4.2; change to read as follows:**

G2417.4.2 (406.4.2) Test duration. The test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for ~~be not~~ less than ~~10~~ fifteen (15) minutes. For welded *piping*, and for *piping* carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the *Building Official*, but in no case for less than thirty (30) minutes.

(Reason: To comply with accepted regional practices.)

***Section G2420.1 (406.1); add Section G2420.1.4 to read as follows:**

G2420.1.4 Valves in CSST installations. Shutoff *valves* installed with corrugated stainless steel (CSST) *piping systems* shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the *valves*, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the *valve*. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's *piping*, fittings, and *valves* between anchors. All *valves* and supports shall be designed and installed so they will not be disengaged by movement of the supporting *piping*.

(Reason: To provide proper security to CSST valves. These standards were established in this region in 1999 when CSST was an emerging technology.)

***Section G2420.5.1 (409.5.1); add text to read as follows:**

G2420.5.1 (409.5.1) Located within the same room. The shutoff valve…*{bulk of paragraph unchanged}…* in accordance with the appliance manufacturer's instructions. A secondary shutoff valve must be installed within 3 feet (914 mm) of the firebox if appliance shutoff is located in the firebox.

(Reason: Reflects regional practice and provides an additional measure of convenience.)

***Section G2421.1 (410.1); add text and Exception to read as follows:**

G2421.1 (410.1) Pressure regulators. A line *pressure regulator* shall be *… {bulk of paragraph unchanged}… approved* for outdoor installation. Access to *regulators* shall comply with the requirements for access to *appliances* as specified in Section M1305.

> **Exception:** A passageway or level service space is not required when the *regulator* is capable of being serviced and removed through the required *attic* opening.

(Reason: To require adequate access to regulators.)

***Section G2422.1.2.3 (411.1.3.3) Prohibited locations and penetrations; delete Exception 1 and Exception 4.**

(Reason: To comply with accepted regional practices.)

***Section G2445.2 (621.2); add Exception to read as follows:**

G2445.2 (621.2) Prohibited use. One or more *unvented room heaters* shall not be used as the sole source of comfort heating in a *dwelling unit*.

> **Exception:** Existing *approved unvented room heaters* may continue to be used in *dwelling units*, in accordance with the *code* provisions in effect when installed, when *approved* by the *Building Official* unless an unsafe condition is determined to exist as described in *International Fuel Gas Code* Section 108.7 of the Fuel Gas Code.

(Reason: Gives code official discretion.)

***Section G2448.1.1 (624.1.1); change to read as follows:**

G2448.1.1 (624.1.1) Installation requirements. The requirements for *water heaters* relative to access, sizing, *relief valves*, drain pans and scald protection shall be in accordance with this *code.*

(Reason: To clarify installation requirements. Also corresponds with amendments regarding water heater access.)

***Section P2603; add to read as follows:**

P2603.3 Protection against corrosion. Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material ~~plastic~~. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

(Reason: Allows for other materials to be accepted.)

***Section P2603.5.1 Sewer Depth; change to read as follows:**

P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (304 mm) below grade.

(Reason: Provides sewer depth that is common in this region. Deleted reference to private sewage disposal because a private sewage disposal code is not typically adopted in this region.)

****Section P2604; add to read as follows:**

P2604.2.1 Plastic sewer and DWV piping installation. Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches or in a trench which has a controlled width equal to the nominal diameter of the piping multiplied by 1.25 plus 12 inches. The piping shall be bedded in 4 inches of granular fill and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6 inches above the top of the pipe.

(Reason: To follow manufacturer backfill requirements and to be clear to Inspectors out in the field.)

** **Section P2801; change to read as follows:**

P2801.6 Required pan.
Where a storage tank-type water heater or a hot water storage tank is installed in a location where water leakage from the tank will cause damage, the tank shall be installed in a pan constructed of one of the following:

1. Galvanized steel or aluminum of not less than 0.0236 inch (0.6010 mm) in thickness.
2. Plastic not less than 0.036 inch (0.9 mm) in thickness.
3. Other *approved* materials.

~~A plastic pan beneath a gas-fired water heater shall be constructed of material having a flame spread index of 25 or less and a smoke-developed index of 450 or less when tested in accordance with ASTM E84 or UL 723~~.

(*Reason: Plastic burns degrading material over time on gas fired water heaters and to maintaining protection level.)*

****Section P2801.6.1; change to read as follows:**

Section P2801.6.1 Pan size and drain. The pan shall be not less than 11/2 inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than 3/4 inch (19 mm). Piping for safety pan drains shall be of those materials listed in Table P2906.5.
Multiple pan drains may terminate to a single discharge piping system when *approved* by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.
{*existing text unchanged}*

(Reason: Regionally accepted practice.)

***** Section P2804.6.1; change to read as follows:***

Section P2804.6.1 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap ~~located in the same room as the water heater.~~
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

   Exception: Multiple relief devices may be installed to a single T & P discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.
5. Discharge to ~~the floor, to the pan serving the water heater or storage tank, to a waste receptor~~ an approved location or to the outdoors.

   [remainder unchanged]

(Reason: To ensure the T&P is ran to the exterior.)

*****Section P2902.5.3; change to read as follows:***

P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(Reason: To provide clarity.)

****Section P3003.9; change to read as follows:**

P3003.9.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.

~~Exception: A primer is not required where both of the following conditions apply:~~

1. ~~The solvent cement used is third-party certified as conforming to ASTM D 2564~~
2. ~~The solvent cement is used only for joining PVC drain, waste, and vent pipe and fittings in not pressure applications in sizes up to and including 4 inches (102mm) in diameter.~~

(Reason: to keep the "process of joining PVC pipe".)

***Section P3111Combination waste and vent systems; delete this section in its entirety.**

(Reason: A combination waste and vent system is not approved for use in residential construction.)

***Section P3112.2 Vent Connection; delete and replace with the following:**

P3112.2 Installation. Traps for island sinks and similar equipment shall be roughed in above the floor and may be vented by extending the vent as high as possible, but not less than the drainboard height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye-branch immediately below the floor and extending to the nearest partition and then through the roof to the open air or may be connected to other vents at a point not less than six (6) inches (152 mm) above the flood level rim of the fixtures served. Drainage fittings shall be used on all parts of the vent below the floor level and a minimum slope of one-quarter (1/4) inch per foot (20.9 mm/m) back to the drain shall be maintained. The return bend used under the drain-board shall be a one (1) piece fitting or an assembly of a forty-five (45) degree (0.79 radius), a ninety (90) degree (1.6 radius) and a forty-five (45) degree (0.79 radius) elbow in the order named. Pipe sizing shall be as elsewhere required in this Code. The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.

(Reason: To clarify the installation of island venting and to provide a regional guideline on a standard installation method for this region.)

END

EXHIBIT C
[NCTCOG Amendments to 2021 Intl. Plumbing Code]

North Central Texas Council of Governments

Recommended Amendments to the 2021 International Plumbing Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Plumbing Code* are hereby amended as follows: Standard type is text from the IPC. Underlined type is text inserted. ~~Lined through type is deleted text from the IPC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk identifies a new or revised amendment with the 2021 edition of the code.

Note: Historically NCTCOG has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.**

******Table of Contents, Chapter 7, Section 713; change to read as follows:***

~~714~~ 713 Engineered ~~Computerized~~ Drainage Design . . . . ~~69~~ 7-12

(Reason: Editorial change to make compatible with amendment to Section 714.1.)

******Section 102.8; change to read as follows:***

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

******Section 305; change to read as follows:***

305.1 Protection against contact. Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material ~~plastic~~. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

(Reason: Allows for other materials to be accepted.)

***Section 305.4.1; changed to read as follows:**

305.4.1 Sewer depth. ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection.~~ Building sewers shall be a minimum of 12 inches (304 mm) below grade.

(Reason: Provides sewer depth that is common in this region. Deleted reference to private sewage disposal because a private sewage disposal code is not typically adopted in this region.)

****Section 306.2.4; added to read as follows:**

****306.2.4 Plastic sewer and DWV piping installation.** Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches or in a trench which has a controlled width equal to the nominal diameter of the diameter of the piping multiplied by 1.25 plus 12 inches. The piping shall be bedded in 4 inches of granular fill and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6 inches above the top of the pipe.

(Reason: To follow manufacturer backfill requirements and to be clear to Inspectors out in the field.)

***Section 413.4; change to read as follows:**

413.4 Required location for floor drains ~~Public laundries and central washing facilities.~~ Floor drains shall be installed in the following areas:

1. In public laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.

2. Commercial kitchens. In lieu of floor drains in commercial kitchens, the Code Official may accept floor sinks.

3. Public restrooms.

(Reason: To make more compatible with local health code practices.)

***Section 608.17.5; change to read as follows:**

608.17.5 Connections to lawn irrigation systems.
The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principal backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principal backflow preventer.

(Reason: To recognize regional practices.)

Section 703.6; Delete

(Reason: not a standard practice in this region)

***Section 704.5; added to read as follows:**

***704.5* Single stack fittings.** Single stack fittings with internal baffle, PVC schedule 40 or cast-iron single stack shall be designed by a registered engineer and comply to a national recognized standard.

(Reason: to allow owners, installers, inspectors, and design professionals to ready identify product markers to determine they meet all required standards.)

****Section 712.4.3; add Section 712.4.3 to read as follows:**

712.4.3 Dual Pump System. All sumps shall be automatically discharged and, when in any "public use" occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

(Reason: To address dual pump system. To provide reference for storm drainage systems.)

***Section 713, 713.1; change to read as follows:**

SECTION 713
ENGINEERED ~~COMPUTERIZED~~ DRAINAGE DESIGN

713.1 Design of drainage system. The sizing, design and layout of the drainage system shall be ~~permitted to be~~ designed by a registered engineer using *approved* ~~computer~~ design methods.

(Reason: Code was too restrictive.)

****Section 903.1.1; change to read as follows:**

~~903~~.1 Roof extension 903.1.1 Roof extension unprotected. Open vent pipes that extend through a roof shall terminate not less than six (6) inches (152 mm) above the roof. ~~Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.~~

(Reason: To provide regional guideline on standard installation method for this area and address reference number correction.)

Section 1109; delete this section.

****Section 1202.1; delete Exceptions 1 and 2.***

(Reason: State law already specifies that Med Gas systems must comply with NFPA 99.)

END

EXHIBIT D
[NCTCOG Amendments to 2023 National Electrical Code]

North Central Texas Council of Governments

Recommended Amendments to the
2023 National Electrical Code
North Central Texas Council of Governments

The following articles, paragraphs, and sentences of the *2023 National Electrical Code (NEC)* are hereby amended as follows: Standard type is text from the NEC. Highlighted with gray shading is text inserted. ~~Lined through type is deleted text from NEC.~~ A double asterisk (**) at the beginning of an article identifies an amendment carried over from the 2020 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2023 code.

***Article 100; add the following to definitions:**

Engineering Supervision. Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations **as referenced by TBPELS 137.59 (a)(b) as acceptable by the AHJ**

(REASON FOR CHANGE: To better define the qualifications for engineering supervision. This term is used twenty-nine times in the 2023 National Electrical Code.*)*

****Article 110.2; change the following to read as follows:**

110.2 Approval. The conductors and equipment required or permitted by this *Code* shall be acceptable only if approved. Approval of equipment may be evident by listing and labeling of equipment by a Nationally Recognized Testing Lab (NRTL) with a certification mark of that laboratory or a qualified third party inspection agency or a field evaluation by a Field Evaluation Body accredited by either the International Code Council International Accreditation Service AC354 or ANSI National Accreditation Board programs and approved by the AHJ.

Exception: Unlisted equipment that is relocated to another location within a jurisdiction or is field modified is subject to the approval by the AHJ. This approval may be by a field evaluation by a NRTL or qualified third-party inspection agency or a field evaluation by a Field Evaluation Body accredited by either the ICC IAS AC354 or ANAB programs *and approved by the AHJ* ~~Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.~~

Informational Note No. 1: See 90.7, Examination of Equipment for Safety, and 110.3, Examination, Identification, Installation, and Use of Equipment. See definitions of *Approved*, *Identified*, *Labeled*, and *Listed*.

Informational Note No. 2: Manufacturer's self-certification of equipment may not necessarily comply with U.S. product safety standards as certified by an NRTL.

Informational Note No. 3: National Fire Protection Association (NFPA) 790 and 791 provide an example of an approved method for qualifying a third-party inspection agency.

(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval of unlisted equipment.)

******Article110.12 B; add the following to:***

(B) Integrity of Electrical Equipment and Connections.
Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign materials such as paint, plaster, cleaners, abrasives, corrosive residues *or influences, fire, products of combustion, or water*. There shall be no damaged parts that may adversely affect safe operation or mechanical strength of the equipment such as parts that are broken; bent, cut; or deteriorated by corrosion, chemical action, or overheating. E*xcept where prohibited elsewhere in this Code, equipment shall be specifically evaluated by its manufacturer or a qualified testing laboratory prior to being returned to service .*

(REASON FOR CHANGE: To better define a Plan of Action for equipment that is compromised prior to restoring to service)

*****Article 210.8 A 1 Bathrooms Exception; change the following to read as follows:***

(A) Dwelling Units.
All 125-volt through 250-volt receptacles installed in the following locations and supplied by single-phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel:

(1) Bathrooms

Exception No. 4: Factory-installed receptacles that are not readily accessible and are mounted internally to ~~bathroom~~ exhaust fan assemblies shall not require GFCI protection unless required by the installation instructions or listing.

(*REASON FOR CHANGE*: to cover all locations that exhaust fans could be installed)

Article 210.52 C 1 Countertop and Work Surfaces Exception; change the following to read as follows:

C) Countertops and Work Surfaces.

In kitchens, pantries, breakfast rooms, dining rooms, and similar areas of dwelling units, receptacle outlets for countertop and work surfaces that are 300 mm (12 in.) or wider shall be installed in accordance with 210.52(C)(1) through (C)(3) and shall not be considered as the receptacle outlets required by **210.52(A)**.

For the purposes of this section, where using multioutlet assemblies, each 300 mm (12 in.) of multioutlet assembly containing two or more receptacles installed in individual or continuous lengths shall be considered to be one receptacle outlet.

(1) Wall Spaces.

Receptacle outlets shall be installed so that no point along the wall line is more than 600 mm (24 in.) measured horizontally from a receptacle outlet in that space. The location of the receptacles shall be in accordance with **210.52(C)(3)**.

*Exception ~~No. 1:~~ Receptacle outlets shall not be required directly behind a range, counter-mounted cooking unit, or sink in the installation described in **Figure 210.52(C)(1)**.*

~~*Exception No. 2: Where a required receptacle outlet cannot be installed in the wall areas shown in **Figure 210.52(C)(1)**, the receptacle outlet shall be permitted to be installed as close as practicable to the countertop area to be served. The total number of receptacle outlets serving the countertop shall not be less than the number needed to satisfy **210.52(C)(1)**. These outlets shall be located in accordance with **210.52(C)(3)**.*~~

(*REASON FOR CHANGE*: Elimination of receptacles in an area with a concept window wall configuration over the countertop is not the only option as there are devices available for a compliant installation)

Article 210.52 C 2 Island and Peninsular Countertops and Work Surfaces: Change the following to read as follows:

Receptacle outlets, if installed to serve an island or peninsular countertop or work surface, shall be installed in accordance with **210.52(C)(3)**. If a receptacle outlet is not provided to serve an island or peninsular countertop or work surface, ~~provisions shall be provided at the island or~~

~~peninsula for~~ a chapter 3 wiring method shall be installed and supplied from a Small Appliance Branch Circuit to a Listed Outlet Box in the Peninsular or Island Cabinet at an Accessible Location, for future addition of a receptacle outlet to serve the island or peninsular countertop or work surface.

(*REASON FOR CHANGE*: to clarify what the provisions are for positive options for enforcement and approval)

*****Article 210.63 B 1 Equipment Requiring Servicing.; change the following to read as follows:***

(B) Other Electrical Equipment.

In other than one- and two-family dwellings, a receptacle outlet shall be located as specified in **210.63(B)(1)** and (B)(2).

(1) Indoor Service Equipment.

The required receptacle outlet shall be located within the same room or area as the service equipment.

(2) Indoor Equipment Requiring Dedicated Equipment Spaces.

Where equipment, other than service equipment, requires dedicated equipment space as specified in **110.26(E)**, the required receptacle outlet shall be located within the same room or area as the electrical equipment ~~and shall not be connected to the load side of the equipment's disconnecting means.~~

(*REASON FOR CHANGE*: to clarify that this is not any practical method for enforcement)

****** New Article 220.7 Load Calculation; add the following:***

A load calculation shall be provided upon request when modifications to the electrical installation occur.

(*REASON FOR CHANGE*: to provide sufficient information as to the adequacy of existing conditions for the modifications proposed and substantiating the capacity of Power Production Systems used for Optional Standby/ Backup Use)

******Article 230.85 C Emergency Disconnects: Change the following to read as follows:***

For one- and two-family dwelling units, an emergency disconnecting means shall be installed.

(C) Replacement.

Where service equipment is replaced, all of the requirements of this section shall apply.

Exception: Where a pre-existing installation is Code Compliant with 230.70 A, only meter sockets, service entrance conductors, or related raceways and fittings are replaced, the requirements of this section shall not apply.

(*REASON FOR CHANGE*: to clarify that there are pre-existing that were approved but were not Code Compliant and when modified shall comply with Code)

******Article 408.4 Descriptions ~~Field Identification~~ Required: Change the following to read as follows***

(A) Circuit Directory or Circuit Description.
Every circuit and circuit modification shall be provided with a legible and permanent description that complies with all of the following conditions as applicable:

(1) Located at each switch or circuit breaker in a switchboard or switchgear

(2) Included in a circuit directory that is located on the face of, inside of, or in an approved location adjacent and permanently affixed to the panel door in the case of a panelboard

(3) Clear, evident, and specific to the purpose or use of each circuit including spare positions with an unused overcurrent device

(4) Described with a degree of detail and clarity that is unlikely to result in confusion between circuits

(5) Not dependent on transient conditions of occupancy

(6) Clear in explaining abbreviations and symbols when used

(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval)

*****Article 410.118: Change the following to read as follows***

410.118 Access to other boxes.
Luminaires recessed in the ceilings, floors, or walls shall not be used to access outlet, pull, or junction boxes or conduit bodies, unless the box or conduit body is an integral part of the listed luminaire.

Exception: removable luminaires with a minimum measurement of 22 in. X 22 in. shall be permitted to be used as access to outlet, pull, junction boxes or conduit bodies.

(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval. This will allow access to boxes not integral with the luminaire. This measurement aligns with the limited access above a lay-in ceiling measurement in 110.26(A)(4).

*****Article 422.31 B: Change the following to read as follows***

422.31 B Appliances Rated over 300 Volt-Amperes

(B) Appliances Rated over 300 Volt-Amperes. For permanently connected appliances rated over 300 volt-amperes, the branch-circuit switch or circuit breaker shall be permitted to serve as the disconnecting means where the switch or circuit breaker is within sight from and is readily accessible to the appliance it serves or is capable of being locked in the open position in accordance with 110.25 and is readily accessible to the appliance it serves.

Informational Note No. *1*: For appliances employing unit switches, see 422.34.

Informational Note No 2: The following means of access are considered to constitute readily accessible for this code change when conforming to the additional access requirements of the I Codes:
(1) A permanent stair.
(2) A pull-down stair with a minimum 300 lb. (136 kg) capacity.
(3) An access door from an upper floor level.

(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval)

******Article 500.8 (A) (3); change to read as follows:***

500.8 Equipment.
Articles 500 through 504 require equipment construction and installation that ensure safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to installation and maintenance.

Informational Note No. 2: Since there is no consistent relationship between explosion properties and ignition temperature, the two are independent requirements.

Informational Note No. 3: Low ambient conditions require special consideration. Explosion proof or dust-ignition proof equipment may not be suitable for use at temperatures lower than -25°C (-13°F) unless they are identified for low-temperature service. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified as Class I, Division 1 at normal ambient temperature.

(A) Suitability. Suitability of identified equipment shall be determined by one of the following:

(1) Equipment listing or labeling;
(2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation; or,
(3) By Special Permission Only, Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation *accompanied by* or an owner's engineering judgment an engineering judgment signed and sealed Under Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations as referenced by TBPELS 137.59 (a)(b) as acceptable by the AHJ.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information.

(REASON FOR CHANGE: It was revised to reflect new language and rearrangement of that section*)*

******Article 505.7 and 505.7 (A); change to read as follows:***

505.7 Special Precaution.
~~Article 505~~ This article requires equipment construction and installation that ensures safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care ~~with regard~~ to regarding the installation and maintenance of electrical equipment in hazardous (classified) locations.

Informational Note No. 2: ~~Low ambient conditions require special consideration.~~ Electrical equipment ~~depending~~ that is dependent on the protection ~~techniques described~~ technique permitted by 505.8(A) may not be suitable for use at temperatures lower than -20°C (-4°F) unless they are identified for use at lower temperatures. ~~However~~, Low ambient conditions require special consideration. At low ambient temperatures, flammable concentrations of vapors ~~may~~ might not exist in a location classified Class I, Zones 0, 1, or 2 at normal ambient temperature.

(A) Implementation of Zone Classification System. Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed ~~By Special Permission Only, under~~ Supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations as referenced by TBPELS 137.59 (a)(b) as acceptable by the AHJ.

(B) GO TO TBPE LAW FOR THE DEFINITION OF AN ENGINEER
https://pels.texas.gov/

https://pels.texas.gov/downloads/lawrules.pdf

(REASON FOR CHANGE: Carryover from previous amendment with change to better define the qualifications for an engineering judgement. Code revision language included.)

***Article 695.6 A 1: Change the following to read as follows:**

695.6 (A) Supply Conductors.

(1) Services and On-Site Power Production Facilities.
Service conductors and conductors supplied by on-site power production facilities shall be physically routed outside a building(s) and shall be installed as service-entrance conductors in accordance with 230.6, 230.9, and Parts III and IV of Article 230. Where supply conductors cannot be physically routed outside of buildings, the conductors shall be permitted to be routed through the building(s) where installed in accordance with
230.6(1) or (2).
~~*Exception: The supply conductors within the fire pump room shall not be required to meet 230.6 (1) or (2)*~~

(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval. All Fire Pump rooms are not Fire Rated ~~as~~ on all 4 sides. There are Fault Currents that could exceed 150,000-190,000 amps and protection of these Service Conductors is essential and conflict with other codes, specifically 230.70(A)(1).)

***Article 690.9 D: Change the following to read as follows:**

690.9(D) Transformers. Overcurrent protection for power transformers shall be installed in accordance with 705.30(F).

~~***Exception: A power transformer with a current rating on the side connected toward the interactive inverter output, not less than the rated continuous output current of the inverter, shall be permitted without overcurrent protection from the inverter.***~~

(REASON FOR CHANGE: is that this removes the requirements for 240.21(C) for transformer secondaries when the inverters 125% output is smaller than the transformers rating.)

***Article 705.8 System Installation: Change the following to read as follows:**

705.8 System Installation. Installation of one or more electrical power production sources operating in parallel with a primary source(s) of electricity shall be performed only by qualified persons. During the installation there shall be on site one of the following:

(1) A person holding a Master Electrician License issued by the Texas Department of Licensing and Regulation.

(2)A person holding a Journeyman Electrician License issued by the Texas Department of Licensing and Regulation.

~~(3) A person holding a Residential Wireman License issued by the Texas Department of Licensing and Regulation. Additionally this person must have formal training in interconnected electric power production sources. This training must be approved by the AHJ.~~

(REASON FOR CHANGE: These are specialized systems as evidenced by the Code, which contain installation requirements from chapter 6,Special Equipment and chapter 7 Special Conditions)

705.80 Power Source Capacity.

For interconnected power production sources that operate in island mode, capacity shall be calculated using the sum of all power source output maximum currents for the connected power production source. Solar photovoltaic (PV) and wind systems shall not be included in the sum capacity.

(REASON FOR CHANGE: to keep unreliable production sources out of the calculation as 705 creates conflicts with all standby systems.)

******Article 710.15 A: Change the following to read as follows***

~~710.15 General~~

~~710.15(A) Supply Output.~~
~~Power supply to premises wiring systems fed by stand-alone or isolated microgrid power sources shall be permitted to have less capacity than the calculated load. The capacity of the sum of all sources of the stand-alone supply shall be equal to or greater than the load posed by the largest single utilization equipment connected to the system. Calculated general lighting loads shall not be considered as a single load have adequate capacity to meet the calculated load in accordance with Article 220.~~

~~Informational Note: For general-use loads the system capacity can be calculated using the sum of the capacity of the firm sources, such as generators and ESS inverters. For specialty loads intended to be powered directly from a variable source, the capacity can be calculated using the sum of the variable sources, such as PV or wind inverters, or the combined capacity of both firm and variable sources.~~

(REASON FOR CHANGE: The Scope of the Article has been clarified and the amendment is no longer necessary.)

END

EXHIBIT E
[NCTCOG Amendments to 2021 Intl. Mechanical Code]

North Central Texas Council of Governments

Recommended Amendments to the 2021 International Mechanical Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Mechanical Code* (IMC) are hereby amended as follows: Standard type is text from the IMC. Underlined type is text inserted. ~~Lined through type is deleted text from the IMC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk identifies a new or revised amendment of the 2021 edition of the code.

Note: Historically the North Central Texas Council of Governments (NCTCOG) has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.**

******Section 102.8; change to read as follows:***

102.8 Referenced Codes and Standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

*****Section 306.5; change to read as follows:***

306.5 Equipment and Appliances on Roofs or Elevated Structures. Where *equipment* requiring *access* or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, an interior or exterior means of access shall be provided. Exterior ladders providing roof *access* need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such *access* shall . . . *{bulk of section to read the same}* . . . on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). ... *{remainder of text unchanged}*.

(Reason: To assure access to roof appliances and provide options to not extend exterior ladders to grade. Consistent with IFGC amendments.)

*****Section 306.5.1; change to read as follows:***

306.5.1 Sloped Roofs. Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of three units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof *access* to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which *access* is required for service, repair or maintenance. The platform shall be not less

than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*…*{remainder of text unchanged}*.

(Reason: To assure safe access to roof appliances. Consistent with IFGC amendments.)

***Section 501.3; add an exception to read as follows:**

501.3 Exhaust Discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, crawl space, or be directed onto walkways.

Exceptions:

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.

2. Commercial cooking recirculating systems.

3. Where installed in accordance with the manufacturer's instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.

4. <u>Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.</u>

(Reason: Provide a reasonable alternative in areas where a large volume of outside air is present.)

END

EXHIBIT F
[NCTCOG Amendments to 2021 Intl. Energy Conservation Code]

North Central Texas
Council of Governments

Recommended Amendments to the 2021 International Energy Conservation Code And the energy provisions of the 2021 International Residential Code

North Central Texas Council of Governments Region
(Climate Zone 2 & 3 of the IECC)

The following sections, paragraphs, and sentences of the *2021 International Energy Conservation Code* (IECC) are hereby amended as follows: Standard type is text from the IECC. Underlined type is text inserted. ~~Lined through type is deleted text from IECC.~~ A double (**) asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple (***) asterisk identifies a new or revised amendment with the 2021 code. Section numbers in parenthesis represent the corresponding numbers of the energy provisions of the 2021 *International Residential Code* for parallel amendments.

2021 IECC (Energy Provisions of the 2021 IRC)

Section 105.2 Required Inspections; Changed numbering and to read as follows:

R105.2.1 Footing and foundation inspection.
Inspections associated with footings and foundations shall verify compliance with the code as to R-value, location, thickness, depth of burial and protection of insulation as required by the code and approved plans and specifications.

R105.2.2 Framing and Air Barrier rough-in inspection.
Inspections at framing and rough-in shall be made before application of ~~interior finish~~ insulation and shall verify compliance with the code as to: ~~types of insulation and corresponding R-values and their correct location and proper instillation; fenestration properties such as U-factor and SHGC and proper instillation;~~ air leakage controls as required by the code; and approved plans and specifications.

R105.2.3 Insulation and Fenestration rough-in inspection.
Inspections at framing and rough-in shall be made before application of interior finish and shall verify compliance with the code as to: types of insulation and corresponding R-values and their correct location and proper installation; fenestration properties such as U-factor and SHGC and proper installation.

R105.2.3~~4~~4 Plumbing rough-in inspection.
Inspections at plumbing rough-in shall verify compliance as required by the code and approved plans and specifications as to types of insulation and corresponding R-values and protection and required controls.

R105.2.4~~5~~5 Mechanical rough-in inspection.
Inspections at mechanical rough-in shall verify compliance as required by the code and approved plans and specifications as to installed HVAC equipment type and size, required controls, system insulation and corresponding R-value, system air leakage control, programmable thermostats, dampers, whole-house ventilation, and minimum fan efficiency.

Exception: Systems serving multiple dwelling units shall be inspected in accordance with Section C105.2.4.

R105.2.5~~6~~6 Final inspection.

The building shall have a final inspection and shall not be occupied until approved. The final inspection shall include verification of the installation of all required building systems, equipment and controls and their proper operation and the required number of high-efficacy lamps and fixtures.

***Section C102/R102 General; add Section C102.1.2 and R102.1.2 (N1101.4.1) to read as follows:**

C102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

R102.1.2 (N1101.4.1) Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.4.1.2 (N1102.4.1.2) and R403.3.3 (N1103.3.3) respectively.

(Reason: This amendment is added to allow alternative compliance in accordance with Texas HB 1365, 78th Legislature. Codified in Chapter 388 Texas Building Energy Performance Standards: §388.003(i). The last sentence to Section R102.1.2 (N1101.4.1) was added to ensure that every house is tested in accordance with the mandatory provisions of the code.)

Section R202 (N1101.6) Definitions; *add the following definition:*

****PROJECTION FACTOR.** The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device.

*(Reason: The amendment to **Section 402.3.2 (N1102.3.2) Glazed fenestration SHGC** was proposed by the TAB. ESL determined the proposal to be not less restrictive than the 2015 IECC. This added definition is necessary as part of that amendment. The amendment will provide additional options for SHGC selection.)*

Section R202 (N1101.6) Definitions; *add the following definition:*

****DYNAMIC GLAZING.** Any fenestration product that has the fully reversible ability to change it performance properties, including *U*-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT).

(Reason: This term is referenced in Section R402.3.2. This definition of DYMANIC GLAZING is also found in the Commercial provisions of the code.)

****Table 402.1.2 Maximum Assembly/Climate Zone items: amend table as follows.**

Climate Zone	***Fenestration U-Factor[f]***	***Ceiling U-Factor***
2	***.40***	***~~0.26~~ 0.29***

3	***~~0.30~~ 0.32***	***~~0.26~~ 0.29***

******Table 402.1.3 Insulation/Climate Zone items: amend table as follows.***

Climate Zone	Fenestration U-Factor[b,i]	Ceiling R-Value	Wood Frame Wall R-Value	Slab R-Value & Depth
2	***.40***	***~~49~~ 42***	***13 or 0 + 10***	***0***
3	***~~0.30~~ 0.32***	***~~49~~ 42***	***19 or 13+~~5~~3ci, 0+15***	***~~10ci, 2 ft~~ 0***

(Reason: Amended table to meet current building techniques, market conditions and product availability. Amended to avoid conflict between North Texas termite zone and slab R value in code.)

******Section C402.5.2 Dwelling and sleeping unit enclosure testing. Added the underlined to read as follows***

C402.5.2 Dwelling and sleeping unit enclosure testing. The building thermal envelope shall be tested in accordance with ASTM E779. ANSI/RESNET/ICC 380, ASTM E1827 or an equivalent method approved by the code official. The measured air leakage shall not exceed 0.30 cfm/ft2 (1.5 Us m2) of the testing unit enclosure area at a pressure differential of 0.2 inch water gauge (50 Pa). Where multiple dwelling units or sleeping units or other occupiable conditioned spaces are contained within one building thermal envelope, each unit shall be considered an individual testing unit, and the building air leakage shall be the weighted average of all testing unit results, weighted by each testing unit's enclosure area. Units shall be tested separately with an unguarded blower door test as follows:

1. Where buildings have fewer than eight testing units, each testing unit shall be tested.
2. For buildings with eight or more testing units, the greater of seven units or 20 percent of the testing units in the building shall be tested, including a top floor unit, a ground floor unit, a middle floor unit, and a unit with the largest testing unit enclosure area. For each tested unit that exceeds the maximum air leakage rate, an additional two three units shall be tested, including a mixture of testing unit types and locations.

(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are in line with RESNET sampling guidelines.)

******Section R402.4.1 Building thermal envelope; add section R402.4.1.4 to read as follows***

R402.4.1.4 Sampling options for R2 multifamily dwelling units. For buildings with eight or more testing units that must be tested as required by R402.4.1.2 or R402.4.1.3, the greater of seven units or 20 percent of the testing units in the building shall be tested, including a top floor unit, a ground floor unit, a middle floor unit, and a unit with the largest testing unit enclosure area. For each tested unit that exceeds the maximum air leakage rate, an additional three units shall be tested, including a mixture of testing unit types and locations. Where buildings have fewer than eight testing units, each testing unit shall be tested.

(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering

that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are in line with the commercial provisions of the commercial 2021 IECC and RESNET sampling guidelines.)

******Section R403.3 Ducts; add section R403.3.8 to read as follows***

R403.3.8 Sampling options for R2 multifamily dwelling units. For buildings with eight or more testing units that must be tested as required by R403.3.5, the greater of seven units or 20 percent of the testing units in the building shall be tested, including a top floor unit, a ground floor unit, a middle floor unit, and a unit with the largest testing unit floor area. For each tested unit that exceeds the maximum duct leakage rate, an additional three units shall be tested, including a mixture of testing unit types and locations. Where buildings have fewer than eight testing units, each testing unit shall be tested.

(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are in line with the commercial provisions of the commercial 2021 IECC and RESNET sampling guidelines.)

******Section R403.6 Mechanical Ventilation; add section R403.6.4 to read as follows***

R403.6.4 Sampling options for R2 multifamily dwelling units. For buildings with eight or more testing units that must be tested as required by R403.6.3, the greater of seven units or 20 percent of the testing units in the building shall be tested, including a top floor unit, a ground floor unit, a middle floor unit, and a unit with the largest testing unit floor area. For each tested unit that does not meet the minimum ventilation rate, an additional three units shall be tested, including a mixture of testing unit types and locations. Where buildings have fewer than eight testing units, each testing unit shall be tested.

(Reason: For many multifamily (R2 classifications) projects, it is very costly and time consuming to test each dwelling unit for projects where there may be dozens of dwelling units in each building. Considering that the same tradesman generally constructs a building, it is reasonable to deem that construction practices are consistent and that if a reasonable sampling of units tested pass then all units would pass. These amendments are in line with the commercial provisions of the commercial 2021 IECC IECC and RESNET sampling guidelines.)

*****R405.2 Performance-based compliance. Added to underlined to read as follows.**

R405.2 Performance-based compliance. Compliance based on total building performance requires that a *proposed design* meets all of the following:

1. The requirements of the sections indicated within Table R405.2.
2. The building thermal envelope greater than or equal to levels of efficiency and solar heat gain coefficients in Table R402.1.1 or R402.1.3 of the 2009 *International Energy Conservation Code.*
3. An annual energy cost that is less than or equal to the annual energy cost of the 2021 *standard reference design* or 8% less than the annual energy cost of the 2018 *standard reference design.* Energy prices shall be taken from a source *approved* by the *code official,* such as the Department of Energy, Energy Information Administration's State Energy Data

System Prices and Expenditures reports. Code officials shall be permitted to require time-of-use pricing in energy cost calculations.

Exception: The energy use based on source energy expressed in Btu or Btu per square foot of *conditioned floor area* shall be permitted to be substituted for the energy cost. The source energy multiplier for electricity shall be 3.16. The source energy multiplier for fuels other than electricity shall be 1.1.

(Reason: At the time of the approval of these recommended amendments, software to calculate and show compliance with section R405 of the 2021 IECC was not available. The underlined amendment allows an alternative option to show compliance until software is available.)

*****Section R401.2.5 Additional Energy efficiency; *deleted in its entirety.***

(Reason: The deletion is based on the Complexity of the section and lack of tools to verify compliance and due to conflict with HB2439, 86th Regular Session)

*****Section R408 ADDITIONAL EFFICIENCY PACKAGE OPTIONS; *deleted in its entirety.***

(Reason: The deletion is based on the omission of R401.2.5 and R408 no longer applies and due to conflict with HB2439, 86th Regular Session.)

***** Section R402.4.6 Electrical and Communication outlet boxes. Delete after the first sentence to read as follows.**

****R402.4.6 Electrical and communication outlet boxes (air-sealed boxes). Electrical and communication outlet boxes installed in the building thermal envelope shall be sealed to limit air leakage between conditioned and unconditioned spaces. ~~Electrical and communication outlet boxes shall be tested in accordance with NEMA OS 4 , Requirements for Air-Sealed Boxes for Electrical and Communication Applications, and shall have an air leakage rate of not greater than 2.0 cubic feet per minute (0.944 L/s) at a pressure differential of 1.57 psf (75 Pa). Electrical and communication outlet boxes shall be marked "NEMA OS 4" or "OS 4" in accordance with NEMA OS 4. Electrical and communication outlet boxes shall be installed per the manufacturer's instructions and with any supplied components required to achieve compliance with NEMA OS 4.~~*

(Reason: Allow for alternatives and Avoid requiring proprietaries products.)

******Section R404.2 Interior Lighting Controls; deleted in its entirety.***

(Reason: The deletion is to eliminate confusion as the intent does not reflect what is written.)

*****TABLE R406.4 (N1106.4) MAXIMUM ENERGY RATING INDEX;* amend to read as follows**:

TABLE R406.4 *(N1106.4)* [1]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
2	~~52~~ 63
3	~~52~~ 63

[1] This table is effective until August 31, 2022.

TABLE R406.4 *(N1106.4)* [2]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
2	~~52~~ 59
3	~~52~~ 59

[2] The table is effective from September 1, 2022 to August 31, 2025.

TABLE R406.4 *(N1106.4)* [3]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
2	~~52~~ 57
3	~~52~~ 57

[3] The table is effective from September 1, 2025 to August 31, 2028.

TABLE R406.4 *(N1106.4)* [3]
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
2	~~52~~ 55
3	~~52~~ 55

[4] This table is effective on or after September 1, 2028.

(Reason: The tables reflect the values and timetable set forth in HB 3215, 87th Regular Session Codified in Chapter 388 Texas Building Energy Performance Standards: §388.003.)

NOTE : HB 3215 was signed into law by the Governor on June 14, 2021 as part of the *87th Regular Session* *Codified in Chapter 388 Texas Building Energy Performance Standards: §388.003 (i), (j), and (k).* HB 3215 now allows a **Home Energy Rating System Index (ex. HERS Index)** utilizing ANSI/RESNET/ICC Standard 301 (as it existed on January 1, 2021) shall be considered in compliance with State law provided that:

- *The home includes compliance with the Mandatory requirements of 2018 IECC Section R406.2.*
- *The home includes compliance with Building thermal envelope provisions of Table R402.1.2 or Table R402.1.4 of the 2018 IECC*

END

EXHIBIT G
[NCTCOG Amendments to 2021 Intl. Existing Building Code]

North Central Texas
Council of Governments

Recommended Amendments to the 2021 International Existing Building Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Existing Building Code* are hereby amended as follows: Standard type is text from the IEBC. Underlined type is text inserted. ~~Lined through type is deleted text from IEBC.~~ A double asterisk (**) at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2021 code.

***Section 102.4; change to read as follows:**

[A] 102.4 Referenced codes and standards. The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2. {No change to rest of section.}

(Reason: To not inadvertently adopt other codes (i.e., Wildland Urban Interface Code etc.…) by reference.)

****Section 110.2; delete number 11 as follows:**

~~11. Where an automatic sprinkler system is provided, and whether an automatic sprinkler system is required.~~

(Reason: This has not been historically required on C.O.'s creating inconsistency and is not easily implemented to modify C.O.'s, and is short sided in only identifying one fire protection system. Further, the system must be maintained whether voluntarily installed or not.)

****Section 202; amend definition of Existing Building as follows:**

Existing Building - A building, structure, or space with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use. ~~erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.~~

****Section 202; amend definition of Existing Structure as follows:**

Existing Structure- A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use. ~~erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.~~

(Reason: To prevent potential abuses in new construction and shell buildings.)

****Section 306.1; add exceptions to read as follows:**

Exceptions:

1. Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.
2. If the cost of the project is less than $50K, it must comply with ICC A117.1, or it shall be reviewed and inspected to the Texas Accessibility Standards by a Registered Accessibility Specialist.

(Reason: To coordinate with the IBC and State Law for accessibility.)

***Section 306.2; add exception to read as follows:**

Exception: Projects subject to the Texas Accessibility Standards as adopted by the Texas Department of Licensing and Regulation are exempt from this section. Projects with a valuation of less than $50,000.00 (which are subject to the Texas Accessibility Standards) may be accepted as equivalent to this section where reviewed and inspected to the Texas Accessibility Standards by a Texas Department of Licensing and Regulation Registered Accessibility Specialist when a plan review report and a compliant inspection report are provided to the building code official.

(Reason: To coordinate with the IBC and State Law for accessibility.)

***Section 306.5.1; add to read as follows:**

306.5.1 Complete change of occupancy. Where an entire building undergoes a *change of occupancy*, it shall comply with Section 305.4.1 and shall have all of the following accessible features:

1. Not fewer than one accessible building entrance.
2. Not fewer than one accessible route from an accessible building entrance to *primary function* areas.
3. Signage complying with Section 1111 of the *International Building Code*.
4. Accessible parking, where parking is being provided.
5. Not fewer than one accessible passenger loading zone, where loading zones are provided.
6. Not fewer than one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.
7. At least one accessible family or assisted use toilet room shall be provided in accordance with Chapter 11 of the International Building Code.

Where it is *technically infeasible* to comply with the new construction standards for any of these requirements for a change of group or occupancy, Items 1 through 6 shall conform to the requirements to the maximum extent technically feasible.

Exception: The accessible features listed in Items 1 through 6 are not required for an accessible route to Type B units.

(Reason: Maintains legacy language from the 2018 IEBC to identify accessibility criteria for changes of occupancy, and adds the required accessible toilet for disabled occupants, as per previous 2018 IEBC amendments.)

***Section 401.3 Flood Hazard Areas; delete this section.**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

***Section 405.2.6 Flood Hazard Areas; delete this section.**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

***Section 406.1; add a code reference to read as follows:**

406.1 Material. Existing electrical wiring and equipment undergoing *repair* shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70.

(Reason: To ensure compliance with the NEC relative to any electrical repairs/replacement.)

***Section 502.3 Flood Hazard Areas; delete this section.**

(Reason: Flood hazard ordinances may be administered by other departments within the city)

******Section 503.2 Flood hazard areas; delete this section.***

(Reason: Flood hazard ordinances may be administered by other departments within the city)

******Section 503.16; add exception to read as follows:***

Exception: Compliance with the Texas Accessibility Standards is not considered equivalent compliance for the purpose of enforcement of this code section.

(Reason: TAS does not address this criteria in their evaluation, and it is justifiably required for alterations in existing buildings.)

*****Section 504.1.2; change to read as follows:***

504.1.2 Existing fire escapes. Existing fire escapes shall continue to be accepted as a component in the means of egress in existing buildings only. Existing fire escapes shall be permitted to be repaired or replaced.

(Reason: *To add clarity and help reduce confusion associated with the amendment preventing new fire escapes.*)

*****Section* 504.1.3; *delete this section:***

~~**504.1.3 New fire escapes**. New fire escapes for existing buildings shall be permitted only where exterior stairways cannot be utilized due to lot lines limiting stairway size or due to the sidewalks, alleys, or roads at grade level. New fire escapes shall not incorporate ladders or access by windows.~~

(Reason: *To generally require a higher level of egress protection and consistent with regional practice.*)

*****Section 507.3 Flood Hazard Areas; delete this section.***

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

*****Section 701.3 Flood Hazard Areas; delete this section.***

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

******Section 702.4; add exception 2 to read as follows:***

2. Operable windows with openings that are provided with window fall prevention devices that comply with ASTM F2090.

(Reason: Maintains legacy language of the 2018 IFC to identify fall prevention devices as acceptable alternate/exception.)

*****Section* 702.7*; add a code reference to read as follows:***

702.7 Materials and methods. All new work shall comply with the materials and methods requirements in the *International Building Code*, *International Energy Conservation Code*, *International Mechanical Code*, National Electrical Code, and *International Plumbing Code*, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

(Reason: To provide a more complete list of potentially adopted codes.)

***Section 802.5.1;* change to read as follows:**

802.5.1 Minimum requirement. Every portion of ~~a floor, such as a balcony or a loading dock,~~ open-sided walking surfaces, including *mezzanines*, *equipment platforms*, *aisles*, *stairs*, *ramps,* and landings that is more than 30 inches (762 mm) above the floor or grade below and is not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

(Reason: To be consistent with Building Code requirements for guards and unsafe conditions.)

***Section 803.1; add sentence to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the *work area* shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject *work area*, and if the *work area* includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

(Reason: The intent is to avoid work area protection that would result in partial sprinkler or fire alarm protection. Partial sprinkler protection not delineated by walls would be a clear violation of NFPA 13 and would not allow the sprinkler to perform or function as intended. Also, partial fire alarm coverage is a clear violation of the Fire Code, NFPA 72, and ADA.)

***Section 803.2.6; change exception to read as follows:**

Exception: Supervision is not required where the Fire Code does not require such for new construction. ~~for the following:~~

~~1. Underground gate valve with roadway boxes.~~
~~2. Halogenated extinguishing systems.~~
~~3. Carbon dioxide extinguishing systems.~~
~~4. Dry- and wet-chemical extinguishing systems.~~
~~5. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic and automatic sprinkler systems and a separate shutoff valve for the automatic sprinkler system is not provided.~~

(Reason: The published exceptions are over-reaching and will result in inconsistencies among supervised protection systems and cause confusion for first responders as well.)

***Section 803.3; change section to read as follows:**

803.3 Standpipes. Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements. {Delete rest of Section 803.3.}

(Reason: The Fire Code already requires standpipes in these buildings (greater than 50 ft.) retroactively in Section 1103.6. This new section would negate/lessen those retroactive provisions already contained in the Fire Code.)

Section **804.2; *delete Exception #1 as follows:*

Exceptions: ~~1.~~ ~~Where the work area and the means of egress serving it complies with NFPA101.~~
~~2.~~ [Remain unchanged]

(Reason: NFPA 101 is not a commonly adopted code in the region and enforcement would be problematic, especially due to contradictions with the requirements of the IBC.)

Section* 804.4.1.2*; change to read as follows:

804.4.1.2 Fire Escapes required. For other than Group I-2, where more than one exit is required, an existing ~~or newly constructed~~ fire escape complying with section 805.3.1.2.1 shall be accepted as providing one of the required means of egress.

(Reason: Higher level of safety by not allowing new fire escapes and consistent with regional practice.)

Section* 804.4.1.2.1*; change to read as follows:

804.4.1.2.1 Fire Escape access and details - …

1. [Remain unchanged]
2. Access to a ~~new~~ fire escape shall be through a door...
3. ~~Newly constructed fire escapes shall be permitted only where exterior stairways cannot be utilized because of lot lines limiting the stairway size or because of the sidewalks, alleys, or roads at grade level.~~
4. [Remain unchanged]
5. In all buildings of Group E occupancy up to and including the 12th grade, buildings of Group I occupancy, ~~rooming~~ boarding houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress.

(Reason: Higher level of safety by not allowing new fire escapes. Consistency with language and defined term in IBC.)

Section 804.6.2 Transoms; add language to read as follows:

804.6.2 Transoms. In all buildings of Group B, E, I-1, I-2, R-1 and R-2 occupancies, ….[Remainder unchanged]

(Reason: Transom windows were historically a common practice in school buildings and each jurisdiction should evaluate the impact on their stakeholders and their community with regards to this section.)

Section 904.1; add sentence to read as follows:

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the *work area* shall be extended to include at least the entire tenant space or spaces bounded by walls containing the subject *work area*, and if the *work area* includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

(Reason: The intent is to avoid work area protection that would result in partial sprinkler or fire alarm protection. Partial sprinkler protection not delineated by walls would be a clear violation of NFPA 13 and the Fire Code and would not allow the sprinkler system to perform or function as intended. Also, partial fire alarm coverage is a clear violation of the Fire Code, NFPA 72, and ADA.)

Section 904.1.1; change to read as follows:

904.1.1 High-rise buildings. An automatic sprinkler system shall be provided in work areas of ~~where the~~ high-rise buildings. ~~has a sufficient municipal water supply for the design and installation of an automatic sprinkler system at the site~~.

(Reason: Level 3 alterations are affecting more than 50% of the existing high-rise building, and as such, sprinkler protection is more than justifiable, even when fire pumps, etc., are necessary. It is noted that the work area method is one of three different methods available to the designer/owner in the IEBC.)

Section 1011.2.1: change to read as follows:

1011.2.1 Fire sprinkler system. Where a change in occupancy classification occurs or where there is a *change of occupancy* within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code* that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the *International Building Code*. The installation of the automatic sprinkler system shall be required within the area of the *change of occupancy* and areas of the building not separated horizontally and vertically from the *change of occupancy* by one of the following:

1. ~~Nonrated permanent partition and horizontal assemblies.~~
2. ~~Fire partition.~~
3. ~~Smoke partition.~~
4. ~~Smoke barrier.~~
5. Fire barrier, as required by Section 707 of the IBC.
6. Fire wall, as required by Section 706 of the IBC.

Exceptions: [Remain unchanged.]

(Reason: Maintains legacy language requiring at least fire barrier separation between a newly sprinklered more hazardous 'change of occupancy' from non-sprinklered existing occupancies, as is required for fire area separation by the IBC.)

Section 1102.2.1; add to read as follows:

1102.2.1 Fire Separations. Where fire separations are utilized to allow additions without exceeding the allowable area provisions of Chapter 5 of the IBC for either the existing building or the new addition, the decreased clear space where the two buildings adjoin shall be accounted for in such calculation relative to the allowable frontage increase.

(Reason: This issue of evaluating allowable area for additions is commonly miscalculated due to the above issue. This amendment provides clarification but is not more stringent than what is currently required by the Building Code as to allowable area calculations.)

Section 1103.3 Flood Hazard Areas; delete this section.

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

Section 1201.4 Flood Hazard Areas; delete this section.

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

Section 1301.3.2; change to read as follows:

1301.3.2 Compliance with other codes. Buildings that are evaluated in accordance with this section shall comply with the International Fire Code. ~~and International Property Maintenance Code.~~

(Reason: NCTCOG does not currently recommend, nor review the IPMC for recommended amendments at this time.)

Section 1301.3.3 Compliance with Flood Hazard Provisions; delete this section.

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

***Section 1402.6 Flood Hazard Areas; delete this section.**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

****Section 1509; delete Section 1509.1 through 1509.5 and add Section 1509.1 to read as follows:**

1509.1 When required. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. The water supply design and the timing of the water supply installation relative to building construction shall comply with the adopted Fire Code.

(Reason: Maintains legacy language for the water supply and ensures adequate water supply as required by the Fire Code for construction that is already well-established. The changes in the published 2021 IEBC drastically reduce the required water supply of the Fire Code without adequate or reasonable justification.)

END

EXHIBIT H
[NCTCOG Amendments to 2021 Intl. Fuel Gas Code]

North Central Texas Council of Governments

Recommended Amendments to the 2021 International Fuel Gas Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Fuel Gas Code* are hereby amended as follows: Standard type is text from the IFGC. Underlined type is text inserted. ~~Lined through type is deleted text from IFGC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk identifies a new or revised amendment with the 2021 code.

***Section 101.2**
{Local amendments to Section 101.2 may be necessary to correspond with the State Plumbing Licensing Law.}

***Section 102.2; add an exception to read as follows:**

Exception: Existing dwelling units shall comply with Section 621.2.

(Reason: Previous code provisions made unvented heater provisions retroactive except as provided for in local amendment. This amendment and amendment to IFGC 621.2 better clarify what the code already states: existing systems may stay unless considered unsafe.)

****Section 102.8; change to read as follows:**

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the *National Electrical Code* shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

***Section 306.5; change to read as follows:**

[M] 306.5 Equipment and Appliances on Roofs or Elevated Structures. Where *equipment* requiring *access* or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, an interior or exterior means of access shall be provided. Exterior ladders providing roof *access* need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such *access* shall . . . *{bulk of section to read the same}* . . . on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). ... *{remainder of text unchanged}*.

(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)

***Section 306.5.1; change to read as follows:**

[M] 306.5.1 Sloped roofs. Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater

and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof *access* to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which *access* is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

(Reason: To assure safe access to roof appliances. Consistent with IMC amendments.)

***Section 401.5; add a second paragraph to read as follows:**

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an *approved* tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING
1/2 to 5 psi gas pressure
Do Not Remove"

(Reason: To protect homeowners and plumbers.)

***Section 404.12; change to read as follows:**

404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of ~~12~~ 18 inches (~~305~~ 458 mm) top of pipe below grade, ~~except as provided for in Section 404.12.1~~.

404.12.1 Delete in its entirety.

(Reason: To provide increased protection to piping systems and address reference number change.)

****Section 406.4; change to read as follows:**

406.4 Test pressure measurement. Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure. Spring type gauges do not meet the requirement of a calibrated gauge.

(Reason: To require the use of more accurate diaphragm gauges. Spring gauges do not provide accurate measurement below approximately 17 psig.)

****Section 406.4.1; change to read as follows:**

406.4.1 Test pressure. The test pressure to be used shall be no less than ~~1 1/2 times the proposed maximum working pressure, but no less than 3~~ 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, ~~irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.~~ For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 ½"), a set hand, 1/10 pound incrementation and pressure range not to exceed 15 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 ½"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 50 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds

200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

(Reason: To provide for lesser pressures to coordinate with the use of more accurate diaphragm gauges.)

*****Section 409.1; add Section 409.1.4 to read as follows:***

409.1.4 Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an *approved* termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

(Reason: To provide proper security to CSST valves. These standards were established in this region in 1999 when CSST was an emerging technology.)

*****Section 410.1; add a second paragraph and exception to read as follows:***

Access to regulators shall comply with the requirements for *access* to appliances as specified in Section 306.

Exception: A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

(Reason: To require adequate access to regulators.)

*****Section 621.2; add exception as follows:***

621.2 Prohibited use. One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

Exception: Existing *approved* unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when *approved* by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

(Reason: Gives code official discretion.)

END

EXHIBIT I
[NCTCOG Amendments to 2021 Intl. Swimming Pool and Spa Code]

North Central Texas
Council of Governments

Recommended Regional Amendments to the 2021 International Swimming Pool and Spa Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Swimming Pool and Spa Code* are hereby amended as follows: Standard type is text from the ISPSC. Underlined type is text inserted. ~~Lined through type is deleted text from ISPSC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2018 edition of the code. A triple asterisk (***) identifies a new or revised amendment with the 2021 ISPSC code.

****Section 102.9; Change to read as follows:**

Section 102.9 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law, to include but not limited to:

1. Texas Department of State Health Services (TDSHS); *Standards for Public Pools and Spas;* §285.181 through §285.208, (TDSHS rules do not apply to pools serving one- and two-family dwellings or townhouses).
2. *Texas Department of Licensing and Regulation (TDLR); 2012 Texas Accessibility Standards (TAS*), TAS provide the scoping and technical requirements for accessibility for Swimming Pool, wading pools and spas and shall comply with *2012 TAS, Section 242.* (TAS rules do not apply to pools serving one- and two-family dwellings or townhouses).

Exception: Elements regulated under Texas Department of Licensing and Regulation (TDLR) and built in accordance with TDLR approved plans, including any variances or waivers granted by the TDLR, shall be deemed to be in compliance with the requirements of this Chapter.

(Reason: To clarify specific Texas statutes which regulate public pools and spas.)

*****Section 113.4 Violation penalties; *Changed to read as follows:***

113.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair a pool or spa in violation of the *approved* construction documents or directive of the *code official,* or of a permit or certificate issued under the provisions of this code may be punishable for each day of the violation set forth by the *authority having jurisdiction.* ~~, shall be guilty of a [**SPECIFY OFFENSE**], punishable by a fine of not more than [**AMOUNT**] dollars or by imprisonment not exceeding [**NUMBER OF DAYS**], or both such a fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

(Reason: Covered by general provisions of the Code of Ordinances.)

*****Section 305; Change to read as follows:**

305.1 General.
The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. In only one-and two-family dwellings and townhouses, ~~-~~where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections 305.2 through 305.7.

(Reason: To clarify requirements for dwellings and commercial properties and specific Texas statutes which regulate public pools and spas.)

**** Add subsection 305.2.7.1; to read as follows:**

305.2.7.1 Chain link fencing prohibited. Chain link fencing is not permitted as a barrier in public pools built after January 1, 1994.

(Reason: To clarify specific Texas Health and Safety Code Chapter 757.003 (f).)

*****Section 305.4 structure wall as a barrier; Changes as follows:**

305.4 Structure wall as a barrier. Where a wall of a dwelling or structure of a one- and two-family dwelling or townhouse or its accessory structure serves as part of a barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Remainder Unchanged
2. Remainder Unchanged
3. Remainder Unchanged
4. Remainder unchanged
5. Remainder unchanged
6. Remainder unchanged

(Reason: To clarify specific Texas Health and Safety Code Chapter 757.007.

****Section 305.6; Change to read as follows:**

305.6 Natural barriers used in a one- and two-family dwelling or townhouse. In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge a minimum of eighteen (18) inches, a barrier is not required between the natural body of water shoreline and the pool or spa.

(Reason: Specific Texas statutes do not allow the use of natural barriers in lieu of fencing for public pools per Chapter 757.003).

****Section 307.1.4 Accessibility; Add exception to Section to 307.1.4 as follows:**

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

(Reason: To accommodate buildings regulated under state law. Further clarified to mean Components that are specifically addressed by TDLR shall be exempt.)

*****Section 307.2.2.2; add to read as follows:**

Section 307.2.2.2. Adjacency to Structural Foundation. Depth of the swimming pool and spa shall maintain a ratio of 1:1 from the nearest building foundation or footing of a retaining wall.

Exception:

A sealed engineered design drawing of the proposed new structure shall be submitted for approval.

(Reason: To clarify specific distances for pools and spas, correlates with IRC 327.1.)

****Section 310; Change to read as follows:**

310.1 General. Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7 (ANSI/PHTA/ICC 7) or for public swimming pools in accordance with State of Texas Rules for Public Swimming Pools and Spas, Title 25 TAC Chapter 265 Subchapter L, Rule §265.190.

[Remainder unchanged]

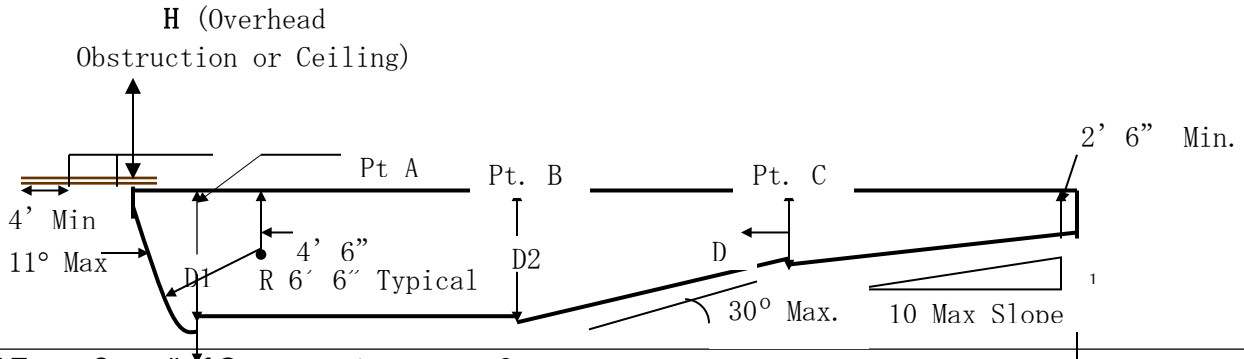
(Reason: To clarify specific Texas statutes which regulate public pools and spas.)

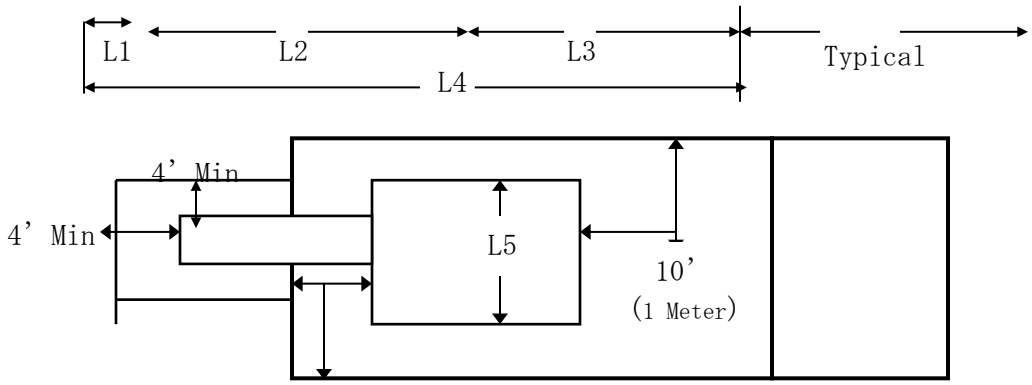
**** Section 402.12; Change to read as follows:**

402.12 Water envelopes. The minimum diving water envelopes shall be in accordance with ~~Table 402.12~~ **Texas department of State Health services, Administrative Code Title 25, Chapter 265, Section 186 (e) and Figure: 25 TAC 256.186 (e) (6).** (Delete Table 402.12 and Figure 402.12)

ADD: Figure: 25 TAC §265.186 (e) (6)

Maximum Diving Board Height Over Water	¾ Meter	1 Meter	3 Meters
Max. Diving Board Length	12 ft.	16 ft.	16 ft.
Minimum Diving Board Overhang	2 ft. 6 in.	5 ft.	5 ft.
D1 Minimum	8 ft. 6 in.	11 ft. 2 in.	12 ft. 2 in.
D2 Minimum	9 ft.	10 ft. 10 in.	11 ft. 10 in.
D3 Minimum	4 ft.	6 ft.	6 ft.
L1 Minimum	4 ft.	5 ft.	5 ft.
L2 Minimum	12 ft.	16 ft. 5 in.	19 ft. 9 in.
L3 Minimum	14 ft. 10 in.	13 ft. 2 in.	13 ft. 11 in.
L4 Minimum	30 ft. 10 in.	34 ft. 7 in.	38 ft. 8 in.
L5 Minimum	8 ft.	10 ft.	13 ft.
H Minimum	16 ft.	16 ft.	16 ft.
From Plummet to Pool Wall at Side	9 ft.	10 ft.	11 ft. 6 in.
From Plummet to Adjacent Plummet	10 ft.	10 ft.	10 ft.





(Reason: To avoid conflict with 25 TAC Chapter 265.)

****Section 411.2.1 & 411.2.2; Change to read as follows:**

411.2.1 Tread dimensions and area. Treads shall have a minimum unobstructed horizontal depth (i.e., horizontal run) of 12 inches and a minimum width of 20 inches. ~~not be less than 24 inches (607mm) at the leading edge. Treads shall have an unobstructed surface area of not less than 240 square inches (154838mm2) and an unobstructed horizontal depth of not less than10 inches (254 mm) at the center line.~~

411.2.2 Risers. Risers for steps shall have a maximum uniform height of 10 inches, with the bottom riser height allowed to taper to zero ~~except for the bottom riser, shall have a uniform height of not greater than 12 inches (305 mm) measured at the center line. The bottom riser height is allowed to vary to the floor.~~

(Reason: To avoid conflict with 25 TAC Chapter 265.186 (c)(7)(A)& (B).)

****Section 411.5.1 & 411.5.2; Change to read as follows:**

411.5.1 Swimouts. Swimouts, located in either the deep or shallow area of a pool, shall comply with all of the following:

1. Unchanged
2. Unchanged
3. Unchanged
4. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.

411.5.2 Underwater seats and benches. Underwater seats and benches, whether used alone or in conjunction with pool stairs, shall comply with all of the following:

1. Unchanged
2. Unchanged
3. Unchanged
4. Unchanged
5. The leading edge shall be visually set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be.

plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.

6. Unchanged
7. Unchanged

(Reason: To avoid conflict with 25 TAC Chapter 265.184 (u) & 265.186 (c)(10).)

****Section 610.5.1; Change to read:**

610.5.1 Uniform height of ~~9~~ 10 inches. Except for the bottom riser, risers at the centerline shall have a maximum uniform height of ~~9~~ 10 inches (~~229~~ 254 mm). The bottom riser height shall be permitted to vary from the other risers.

(Reason: To avoid conflict with 25 TAC Chapter 265.186 (c)(7)(B).)

****Section 804 Diving Water Envelopes; Change to read as follows:**

Section 804.1 General. The minimum diving water envelopes shall be in accordance with Table 804.1 and Figure 804.1, or the manufacturer's specifications, whichever is greater. Negative construction tolerances shall not be applied to the dimensions of the minimum diving water envelopes given in Table 804.1.

(Reason: To provide minimum standards and to clarify specific manufactures specifications of the diving equipment.)

END

EXHIBIT J
[NCTCOG Amendments to 2021 Intl Fire Code]

4870-7212-7129, v. 1

North Central Texas Council of Governments

Recommended Amendments to the 2021 International Fire Code

North Central Texas Council of Governments Region

The following sections, paragraphs, and sentences of the *2021 International Fire Code* (IFC) are hereby amended as follows: Standard type is text from the IFC. Underlined type is text inserted. ~~Lined through type is deleted text from IFC.~~ A double asterisk (**) at the beginning of a section identifies an amendment carried over from the 2018 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2021 code.

Note: Historically, the North Central Texas Council of Governments (NCTCOG) has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.** Note that Appendices must be specifically adopted by Ordinance, and that Appendices B, D, and L are currently recommended for adoption via these Amendments. As per Page vii of the 2021 IFC under 'Adoption', note that several sections of this code require jurisdictional specificity as to dollar amounts, geographic limits, etc. and are not addressed in these amendments.

Explanation of Options A and B:
Please note that as there is a wide range in firefighting philosophies/capabilities of cities across the region, OPTIONS "A" and "B" are provided in the Fire and Building Code amendments. Jurisdictions should choose one of these based on their fire-fighting philosophies/capabilities when adopting code amendments.

***Section 102.1; change #3 to read as follows:**

3. Existing structures, facilities, and conditions when required in Chapter 11 or in specific sections of this code.

(Reason: To clarify that there are other provisions in the fire code applicable to existing buildings that are not located in Chapter 11, including but not limited to Section 505 Premises Identification.)

***Section 105.3.3; change to read as follows:**

105.3.3 Occupancy Prohibited before Approval. The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.

(Reason: For clarity to allow for better understanding in areas not requiring such permits, such as unincorporated areas of counties. This amendment may be struck by a city.)

***Section 105.6.25; add to read as follows:**

105.6.25 Electronic access control systems. Construction permits are required to install or modify an electronic access control system, as specified in Chapter 10. A separate construction permit is required for to install or modify a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered to be a modification and does not

require a permit.

(Reason: Adds construction permit requirements for electronic access control systems affecting access and/or egress to ensure proper design and installation of such systems. These changes reflect local practices of municipalities in this region.)

***Section 107.3; delete this section in its entirety:**

~~107.3 Permit valuations.~~ ~~The applicant for a permit shall provide an estimated permit value at the time of application. Permit valuations shall include the total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the fire code official, the valuation is underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates to meet the approval of the fire code official. Final permit valuation shall be set by the fire code official.~~

(*Different jurisdictions establish permit fee requirements in different ways, and the majority in this region do not utilize this methodology for establishing Fire Code-required permit fees, as well as have already established and adopted applicable permit fee requirements.)*

***Section 202; amend and add definitions to read as follows:**

** **[B] AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff has accepted responsibility for care recipients already incapable. This group may include but not be limited to the following:

- Dialysis centers
- Procedures involving sedation
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

(Reason: to clarify the range of uses included in the definition)

** **[B] ATRIUM.** An opening connecting ~~two~~ three or more stories… *{remaining text unchanged}*

(Reason: Accepted practice in the region based on legacy codes. IBC Section 1009 permits unenclosed two story stairways under certain circumstances.)

** **[B] DEFEND IN PLACE.** A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

(*Reason: Added from International Building Code (IBC) definitions for consistency in interpretation of the subject requirements pertaining to such occupancies.)*

****FIRE WATCH.** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or *standby personnel* when required by the *fire code official*, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

(Reason: Clearly defines options to the fire department for providing a fire watch.)

****FIREWORKS.** Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, ~~or~~ *detonation*, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.3G fireworks or 1.4G fireworks. … *{Remainder of text unchanged}…*

(Reason: Increased safety from fireworks related injuries.)

****Option A**

HIGH-PILED COMBUSTIBLE STORAGE: add a second paragraph to read as follows:

Any building classified as a group S Occupancy or Speculative Building exceeding 12,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified (speculative warehouse), a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

****Option B**

HIGH-PILED COMBUSTIBLE STORAGE: add a second paragraph to read as follows:

Any building classified as a group S Occupancy or Speculative Building exceeding 6,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified (speculative warehouse), a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

(Reason: To provide protection for worst-case scenario in flexible or unknown situations.)

****Option A**

HIGH-RISE BUILDING. {No Change Required}

****Option B**

HIGH-RISE BUILDING. A building with an occupied floor located more than ~~75~~ 55 feet (~~22 860~~ 16 764 mm) above the lowest level of fire department vehicle access.

(Reason: Allows for additional construction safety features to be provided, based on firefighting response capabilities.)

****REPAIR GARAGE**. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

(Reason: To further clarify types of service work allowed in a repair garage, as well as to correspond with definition in the IBC.)

****SELF-SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

(Reason: To provide a definition that does not exist in the code.)

****STANDBY PERSONNEL.** Qualified fire service personnel, approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

(Reason: To provide a definition that does not exist in the code for fire watch accommodations as required by the jurisdiction.)

****UPGRADED OR REPLACED FIRE ALARM SYSTEM.** A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new fire alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates
- Replacing boards of the same model with chips utilizing the same or newer firmware

(Reason: This is referenced in several places, but the wording of "upgraded or replaced" is somewhat ambiguous and open to interpretation. Defining it here allows for consistent application across the region.)

*****Section 307.1.1; change to read as follows:***

307.1.1 Prohibited Open Burning. Open burning ~~shall be prohibited~~ that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Exception: {No change.}

(Reason: To further protect adjacent property owners/occupants from open burning and/or smoke emissions from open burning.)

*****Section 307.2; change to read as follows:***

307.2 Permit Required. A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or open burning ~~a bonfire~~. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality (TCEQ) guidelines and/or restrictions.
2. State, County, or Local temporary or permanent bans on open burning.
3. Local written policies as established by the *fire code official*.

(Reason: Amendments to 307.2, 307.4, 307.4.3, and 307.5 better explain current requirements and recognize that jurisdictions have local established policies that best fit their environments.)

***Section 307.3; change to read as follows:**

307.3 Extinguishment Authority. ~~When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation.~~ The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

(Reason: Provides direction as to responsible parties relative to extinguishment of the subject open burning.)

****Section 307.4 and 307.4.1; change to read as follows:***

307.4 Location. The location for open burning shall not be less than ~~50~~ 300 feet (~~15 240~~ 91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within ~~50~~ 300 feet (~~15 240~~ 91 440 mm) of any structure.

Exceptions: {No change.}

307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet (15 240 mm), or greater distance as determined by the fire code official, of a structure or combustible material, unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within the required setback ~~50 feet (15 240 mm)~~ of a structure shall be eliminated prior to ignition.

(*Reason: To increase the separation distance thereby increasing the safety to adjacent properties, as per applicable TCEQ rules and regulations regarding outdoor burning. Bonfires were added to this requirement to allow the AHJ the ability to match the increased setback utilized for open burning as necessary. Size of bonfire will help to determine needed setback, fire equipment and apparatus as per permit requirements.)*

***Section 307.4.3, Exceptions; add Exception #2 to read as follows:**

Exceptions:

1. Portable outdoor fireplaces used at one- and two-family dwellings.
2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system.

(Reason: To reflect similar allowances for open-flame cooking in these same locations.)

***Section 307.4.4 and 307.4.5; change to read as follows:**

307.4.4 Permanent Outdoor Firepit. Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

Exception: Permanently installed outdoor fireplaces constructed in accordance with the International Residential Code or International Building Code.

307.4.5 Trench Burns. Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

(Reason: To provide a greater level of safety for this potentially hazardous fire exposure condition. Decrease in separation distance allowed for outdoor firepits due to permanent nature of construction having substantial securement.)

***Section 307.5; change to read as follows:**

307.5 Attendance. *Open burning*, trench burns, bonfires, *recreational fires*, and use of portable outdoor fireplaces shall be constantly attended until the… *{Remainder of section unchanged}*

(Reason: Adds attendance for trench burns based on previous amendment provision for such.)

***Section 308.1.4; change to read as follows:**

308.1.4 Open-flame Cooking Devices. ~~Charcoal burners and other o~~Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be ~~operated~~ located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings where LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 pounds (5 containers). All LP-gas containers shall be stored outside, as per Chapter 61.
2. Where buildings, balconies and decks are protected by an approved *automatic sprinkler system*, and LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs. (2 containers). All LP-gas containers shall be stored outside, as per Chapter 61.
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2-1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

(Reason: Decrease fire risk in multi-family dwellings and minimizes ignition sources and clarify allowable limits for 1 & 2 family dwellings, and allow an expansion for sprinklered multi-family uses. This amendment adds clarification and defines the container size allowed for residences.)

***Section 308.1.6.2, Exception #3; change to read as follows:**

3. Torches or flame-producing devices in accordance with Section ~~308.4~~ 308.1.3.

(Reason: Section identified in published code is inappropriate.)

***Section 308.1.6.3; change to read as follows:**

308.1.6.3 *Sky Lanterns.* A person shall not release or cause to be released an ~~untethered~~ unmanned free-floating device containing an open flame or other heat source, such as but not limited to a *sky lantern*.

(Reason: Eliminates the potential fire hazard presented by utilization of such devices and the potential accidental release of such devices.)

***Section 311.5; change to read as follows:**

311.5 Placards. ~~Any~~ The *fire code official* is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 114 of this code relating to structural

or interior hazards, ~~shall be marked~~ as required by Section 311.5.1 through 311.5.5.

(Reason: There may be situations where placarding is not desired or necessary; also clarifies intent that it is not the fire code official's responsibility to provide the placard.)

***Section 403.4; change to read as follows:**

403.4 Group E Occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Sections 403.4.1 through 403.4.3.

(Reason: The diagrams are intended to assist with egress in such occupancies – specifically, the primary teacher is not always present to assist children with egress. Also, such will help reinforce evacuation drill requirements.)

***Section 404.2.2; add Number 4.10. to read as follows:**

4.10. Fire extinguishing system controls.

(Reason: The committee believed this information could be of great help to such plans to facilitate locating sprinkler valves to minimize water damage, for instance.)

****Section 405.5; change to read as follows:**

405.5 Time. The fire code official may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

Exceptions:

1. {No change.}
2. {No change.}
3. Notification of teachers/staff having supervision of light- or sound-sensitive students/occupants, such as those on the autism spectrum, for the protection of those students/occupants, shall be allowed prior to conducting a drill.

(Reason: This change clarifies who may require a fire or evacuation drill, and also allows for consideration/protection of students/occupants who may be severely negatively impacted by the nature of a fire alarm notification during a practice drill.)

***Section 501.4; change to read as follows:**

501.4 Timing of Installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure. , ~~such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2.~~

(Reason: Reflects current practice in the region relative to ensuring fire department and EMS access during construction, which can be a time of increased frequency for emergency incidents.)

***Section 503.1.1; add sentence to read as follows:**

Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a 10 feet (3048 mm) wide unobstructed pathway around the external walls of the structure.

(Reason: Recognizes that the hose lay provision can only be measured along a pathway that is wide enough for fire fighter access.)

***Section 503.2.1; change to read as follows:**

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than ~~20~~ 24 feet (~~6096 mm~~ 7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than ~~13 feet 6 inches (4115 mm)~~ 14 feet (4267 mm).

Exception: Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and *approved* signs are installed and maintained indicating the established vertical clearance when approved.

(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)

***Section 503.2.2; change to read as follows:**

503.2.2 Authority. The *fire code official* shall have the authority to require ~~or permit modifications to the required~~ an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

(Reason: Amendments to 503.2.1 and 503.2.2 recognize that the equipment now used in firefighting is increasing in size. The code already recognizes that larger dimensions may be required under Section 503.2.2. The amendments are to standardize the dimensions for this area. With the increase in fire apparatus size, this will allow for the passage of two fire apparatus during a fire or EMS emergency.)

****Section 503.2.3; change Section 503.2.3 to read as follows:**

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support imposed loads of 85,000 Lbs. for fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

(Reason: To address the current size of fire trucks in use – figure derived from DOT requirements for waiver of vehicle exceeding such weight and from current maximum weights of fire trucks being purchased by jurisdictions in North Texas.)

***Section 503.3; change to read as follows:**

503.3 Marking. ~~Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE~~ Striping, signs, or other markings, when approved by the *fire code official*, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. ~~The means by which fire lanes are designated~~ Striping, signs and

other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) Striping – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four inch (4") white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

(2) Signs – Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12" wide and 18" high. Signs shall be painted on a white background with letters and borders in red, using not less than 2" lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

(Reason: Establishes a standard method of marking and reflects regional long-standing practices.)

***Section 503.4; change to read as follows:**

503.4 Obstruction of Fire Apparatus Access Roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and 503.2.2 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

(Reason: As originally worded, the section implied that vehicles could be parked in the marked fire lane and not be in violation if the minimum width is still maintained. Current accepted enforcement practice is to require the entire marked fire lane to be maintained clear and unobstructed.)

***Section 505.1; change to read as follows:**

505.1 Address Identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than ~~4 inches (102 mm)~~ 6 inches (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background on border. Address identification shall be maintained.

Exception: R-3 Single Family occupancies shall have approved numerals of a minimum 3 ½ inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

(Reason: To increase the minimum addressing requirements for commercial properties and establish a minimum for single-family residential properties Such improves legibility of these signs which are critical to emergency response in a more timely manner.)

***Section 507.4; change to read as follows:**

507.4 Water Supply Test Date and Information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 "Recommended Practice for Fire Flow Testing and Marking of Hydrants" and within one year of sprinkler plan submittal. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official*, as required ~~or approved documentation of the test shall be provided to the *fire code official* prior to final approval of the water supply system~~. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the waterflow test report, or as approved by the *fire code official*. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well, or identify applicable water supply fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information, as per the applicable referenced NFPA standard. Reference Section 903.3.5 for additional design requirements.

(Reason: Clarifies intent of the test to ensure contractor accounts for water supply fluctuations.)

***Section 507.5.4; change to read as follows:**

507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

(Reason: Additional guidance based on legacy language to ensure these critical devices are available in an emergency incident.)

***Section 509.1.2; add to read as follows:**

509.1.2 Sign Requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as approved by the *fire code official*. The letters shall be of a color that contrasts with the background.

(Reason: Provides direction as to appropriate sign criteria to develop local and regional consistency in this regard.)

****Section 605.4 through 605.4.2.2 ; change to read as follows:**

605.4 Fuel oil storage systems. Fuel oil storage systems ~~for building heating systems~~ shall be installed and maintained in accordance with this code. Tanks and fuel-oil piping systems shall be installed in accordance with Chapter 13 of the *International Mechanical Code* and Chapter 57.

605.4.1 Fuel oil storage in outside, above-ground tanks. Where connected to a fuel-oil piping system, the maximum amount of fuel oil storage allowed outside above ground without additional protection shall be 660 gallons (2498 L). The storage of fuel oil above ground in quantities exceeding 660 gallons (2498 L) shall comply with NFPA 31 and Chapter 57.

605.4.1.1 Approval. Outdoor fuel oil storage tanks shall be in accordance with UL 142 or UL 2085, and also listed as double-wall/secondary containment tanks.

605.4.2 Fuel oil storage inside buildings. Fuel oil storage inside buildings shall comply with Sections 605.4.2.2 through 605.4.2.8 ~~or~~ and Chapter 57.

605.4.2.1 Approval. Indoor fuel oil storage tanks shall be in accordance with UL 80, UL 142 or UL 2085.

605.4.2.2 Quantity limits. One or more fuel oil storage tanks containing Class II or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all tanks shall not exceed the following:

1. 660 gallons (2498 L) in unsprinklered buildings, where stored in a tank complying with UL 80, UL 142 or UL 2085, and also listed as a double-wall/secondary containment tank for Class II liquids.
2. 1,320 gallons (4996 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in a tank complying with UL 142 or UL 2085. The tank shall be listed as a secondary containment tank, and the secondary containment shall be monitored visually or automatically.
3. 3,000 gallons (11 356 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in protected above-ground tanks complying with UL 2085 and Section 5704.2.9.7. The tank shall be listed as a secondary containment tank, as required by UL 2085, and the secondary containment shall be monitored visually or automatically.

(Reason: Issues addressed by Chapter 57, such as venting to outside of buildings, remote fill to outside of building, overfill protection, physical protection, etc., are not included in Section 605.4, so compliance with Chapter 57 is also required. The Board removed the applicability to heating systems only from the charging statement based on this more prudent method of diesel storage for generators, boilers, fire pumps and other fuel-fired equipment inside buildings without requiring Group H occupancy classification – this is now established practice in the region as well.)

***Section 807.5.2.2 and 807.5.2.3 applicable to Group E occupancies; change to read as follows:**

807.5.2.2 Artwork in Corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

807.5.2.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached.
Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

(Reason: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)

***Section 807.5.5.2 and 807.5.5.3 applicable to Group I-4 occupancies; change to read as follows:**

807.5.5.2 Artwork in Corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

807.5.5.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

(Reason: This change allows an increase in wall coverage due to the presence of sprinklers. Also provides additional guidance relative to fire resistance requirements in these areas.)

*****Section 901.6.1.1; add to read as follows:***

901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be backflushed or inspected by approved camera when foreign material is present or when caps are missing, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.

3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.

4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the *fire code official*.

5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.

6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.

7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.

8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.

9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.

(Reason: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25 relative to standpipe systems, as well as ensuring that FDC connections are similarly tested/maintained to ensure operation in an emergency incident.)

***Section 901.6.4; add to read as follows:**

901.6.4 False Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

(Reason: Places the responsibility on the business or property owner to maintain their fire alarm systems in approved condition. Allows the enforcement of "prohibition of false alarms". Replaces text lost from the legacy codes that helps to ensure the maintenance of life safety systems.)

***Section 901.7; change to read as follows:**

901.7 Systems Out of Service. Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left unprotected by the shut down until the *fire protection system* has been returned to service. … *{Remaining text unchanged}*

(Reason: Gives fire code official more discretion with regards to enforcement of facilities experiencing nuisance alarm or fire protection system activations necessitating correction/repair/replacement. The intent of the amendment is to allow local jurisdictions to enforce fire watches, etc., where needed to ensure safety of occupants where fire protection systems are experiencing multiple nuisance activations.)

***Section 903.1.1; change to read as follows:**

903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted ~~instead of~~ in addition to automatic sprinkler protection where recognized by the applicable standard ~~and~~, or as *approved* by the *fire code official*.

(Reason: Such alternative systems do not provide the reliability of automatic sprinkler protection. Most gaseous type systems are highly susceptible to open doors, ceiling or floor tile removal, etc. However, an applicant could pursue an Alternate Method request to help mitigate the reliability issues with these alternative systems with the fire code official if so desired, or there may be circumstances in which the fire code official is acceptable to allowing an alternate system in lieu of sprinklers, such as kitchen hoods or paint booths.)

***Section 903.2; add paragraph to read as follows and delete the Exception for**

telecommunications buildings:

Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

(Reason: Firefighter and public safety. This amendment eliminates the shunt trip requirement of the International Building Code Section 3005.5 for the purpose of elevator passenger and firefighter safety. This amendment is contingent on the Building Code amendment eliminating the Exceptions to Section 3005.4, such that passive fire barriers for these areas are maintained. The exception deletion is due to the fact that such telecom areas pose an undue fire risk to the structural integrity of the building.)

******Section 903.2.4.2; change to read as follows:***

903.2.4.2 Group F-1 distilled spirits. An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits involving more than 120 gallons of distilled spirits (>16% alcohol) in the fire area at any one time.

(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small distillery type operations without sprinkler requirements as has been historically allowed.)

******Section 903.2.9.3; change to read as follows:***

903.2.9.3 Group S-1 distilled spirits or wine. An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine involving more than 120 gallons of distilled spirits or wine (>16% alcohol) in the fire area at any one time.

(Reason: To establish a sprinkler criteria limit based on existing maximum allowable quantities provided for flammable liquids in a non-sprinklered space from Chapter 50 and allow very small storage operations without sprinkler requirements as has been historically allowed.)

*****Section 903.2.9.4 and 903.2.9.5; delete Exception to 903.2.9.4 and add Section 903.2.9.5 to read as follows:***

903.2.9.5 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

(Reason: Fire departments are unable to regularly inspect the interior of these commercial occupancies and are unaware of the contents being stored. Previous allowance to separate units by fire barriers is difficult to enforce maintenance after opening.)

****Option A**

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7 and 903.2.11.8, as follows:

903.2.11.3 Buildings 55 Feet or more in Height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more~~, other than penthouses in compliance with Section 1511 of the *International Building Code*, located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

~~Exception:~~

~~1. Occupancies in Group F-2.~~

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

*****Option B**

Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:

903.2.11.3 Buildings ~~55~~ 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more~~, other than penthouses in compliance with Section 1511 of the *International Building Code*, located ~~55~~ 35 feet (~~16 764~~ 10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

~~Exception:~~

~~1. Occupancies in Group F-2.~~

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

903.2.11.9 Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the *International Building Code* where all of the following conditions apply:

a. The structure is freestanding.
b. The structure does not contain any mixed uses, accessory uses, storage rooms, electrical rooms, elevators or spaces used or occupied for anything other than motor vehicle parking.
c. The structure does not exceed 3 stories.
d. An approved fire apparatus access road is provided around the entire structure.

(Reason: Provides jurisdictions options as to their desired level of sprinkler protection based on multiple factors including firefighting philosophies/capabilities.)

***Section 903.3.1.1.1; change to read as follows:**

903.3.1.1.1 Exempt Locations. When approved by the *fire code official*, automatic sprinklers shall not be required in the following rooms or areas where such *... {text unchanged}…* because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. ~~Rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~
5. ~~Fire service access~~ Elevator machine rooms, ~~and~~ machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. {Delete.}

(Reason: Gives more direction to code official. Exception 4 deleted to provide protection where fire risks are poorly addressed. Amendment 903.2 addresses Exception 5 above relative to the elimination of sprinkler protection in these areas to avoid the shunt trip requirement.)

***Section 903.3.1.2; change to read as follows:**

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or less above grade plane.
2. The floor level of the highest story is ~~30~~ 35 feet (~~9144~~ 10668 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is ~~30~~ 35 feet (~~9144~~ 10668 mm) or less below the lowest level of fire department vehicle access.

{No change to remainder of section.}

(Reason: The change to the 2021 IFC over-reached to limit 13R systems to 30 ft. high at topmost floor

level, which basically results in limiting 13R systems to 3 story buildings in reality. This change to 35 ft. would still allow 13R systems in 4 story apartment buildings, as has been allowed historically and as intended by 13R's scope.)

******Section 903.3.1.2.2; change to read as follows:***

903.3.1.2.2 Corridors and balconies ~~in the means of egress~~. Sprinkler protection shall be provided in all corridors and for all balconies. ~~in the means of egress where any of the following conditions apply:~~ *{Delete the rest of this section.}*

(Reason: Corridor protection is critical to the means of egress, and corridors are regularly utilized for miscellaneous storage, fixtures, artwork, food kiosks and beverage dispensers, and furnishings. Balcony protection is required due to issues with fire exposure via soffit vents and the potential for significant combustible loading.)

*****Section 903.3.1.2.3; delete section and replace as follows:***

Section 903.3.1.2.3 Attached Garages and Attics. Sprinkler protection is required in attached garages, and in the following attic spaces:

1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.
2. Where fuel-fired equipment is installed in an unsprinklered attic, not fewer than one quick-response intermediate temperature sprinkler shall be installed above the equipment.
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following:
    - 4.1. Provide automatic sprinkler system protection.
    - 4.2. Provide a heat detection system throughout the attic that is arranged to activate the building fire alarm system.
    - 4.3. Construct the attic using noncombustible materials.
    - 4.4. Construct the attic using fire-retardant-treated wood complying with Section 2303.2 of the International Building Code.
    - 4.5. Fill the attic with noncombustible insulation.

(Reason: Attic protection is required due to issues with fire exposure via soffit vents, as well as firefighter safety. Several jurisdictions indicated experience with un-protected attic fires resulting in displacement of all building occupants. NFPA 13 provides for applicable attic sprinkler protection requirements, as well as exemptions to such, based on noncombustible construction, etc. Attached garages already require sprinklers via NFPA 13R – this amendment just re-emphasizes the requirement.)

*****Section 903.3.1.3; change to read as follows:***

903.3.1.3 NFPA 13D Sprinkler Systems. *Automatic sprinkler systems* installed in one- and two-family *dwellings*; Group R-3; Group R-4, Condition 1; and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

(Reason: To allow the use of the Plumbing section of the International Residential Code (IRC) and recognize current state stipulations in this regard.)

***Section 903.3.1.4; add to read as follows:**

903.3.1.4 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

(Reason: In the last few years, severe winters brought to light several issues with current practices for sprinklering attics, not the least of which was wet-pipe sprinklers in ventilated attics provided with space heaters, etc. for freeze protection of such piping. This practice is not acceptable for the protection of water-filled piping in a ventilated attic space as it does not provide a reliable means of maintaining the minimum 40 degrees required by NFPA, wastes energy, and presents a potential ignition source to the attic space. Listed antifreeze is specifically included because NFPA currently allows such even though there is no currently listed antifreeze at the time of development of these amendments. The intent of this amendment is to help reduce the large number of freeze breaks that have occurred in the past with water-filled wet-pipe sprinkler systems in the future, most specifically in attic spaces.)

***Section 903.3.5; add a second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective NFPA standards; however, every water-based fire protection system shall be designed with a 10 psi safety factor. Reference Section 507.4 for additional design requirements.

(Reason: To define uniform safety factor for the region.)

***Section 903.4; add a second paragraph after the Exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(Reason: To avoid significant water losses. Consistent with amendment to IFC 905.9.)

***Section 903.4.2; add second paragraph to read as follows:**

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

(Reason: Fire department connections are not always located at the riser; this allows the fire department faster access and ease of recognition of the FDC location, especially at night.)

***Section 905.3.9; add to read as follows:**

905.3.9 Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the fire code official.
2. R-2 occupancies of four stories or less in height having no interior corridors.

(Reason: Allows for the rapid deployment of hose lines to the body of the fire in larger structures.)

***Section 905.4; change Items 1, 3, and 5, and add Item 7 to read as follows:**

1. In every required ~~interior~~ exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at an intermediate landing between stories, unless otherwise approved by the fire code official.
   Exception: {No change.}
2. {No change.}
3. In every exit passageway, at the entrance from the exit passageway to other areas of a building.
   Exception: Where floor areas adjacent to an exit passageway are reachable from an ~~interior~~ exit stairway hose connection by a {remainder of text unchanged}
4. {No change.}
5. Where the roof has a slope less than 4 units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way ~~a~~ hose connection ~~shall be~~ located to serve the roof or at the highest landing of an ~~interior~~ exit stairway with stair access to the roof provided in accordance with Section 1011.12.
6. {No change.}
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

(Reason: Item 1, 3, and 5 amendments to remove 'interior' will help to clarify that such connections are required for all 'exit' stairways, to ensure firefighter capabilities are not diminished in these tall buildings, simply because the stair is on the exterior of the building. Item 5 reduces the amount of pressure required to facilitate testing, and provides backup protection for fire fighter safety. Item 7 allows for the rapid deployment of hose lines to the body of the fire.)

***Section 905.8; change to read as follows:**

905.8 Dry standpipes. Dry standpipes shall not be installed.

Exception: Where subject to freezing and in accordance with NFPA 14. Additionally, manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low Supervisory alarm.

(Reason: To define manual dry standpipe supervision requirements. Helps ensure the integrity of the standpipe system via supervision, such that open hose valves will result in a supervisory low air alarm. NFPA 14 requires supervisory air for such, but does not provide pressure criteria for what that means. This is a long-standing regional requirement.)

***Section 905.9; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(Reason: To avoid significant water losses. Consistent with amendment to IFC 903.4.)

****Section 906.1(1); delete Exception 3 as follows:**

~~3. In storage areas of Group S occupancies where forklift, powered industrial truck or powered cart operators are the primary occupants,~~
~~fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:~~
~~3.1. Use of vehicle-mounted extinguishers shall be approved by the fire code official.~~
~~3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket approved~~
~~by the extinguisher manufacturer or the fire code official for vehicular use.~~
~~3.3. Not less than two spare extinguishers of equal or greater rating shall be available on-site to replace a discharged extinguisher.~~
~~3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.~~
~~3.5. Inspections of vehicle-mounted extinguishers shall be performed daily.~~

(Reason: This provision of only having vehicle-mounted fire extinguishers is not at all consistent with historical practice of requiring extinguishers throughout based on travel distance. Often times, the vehicle is what has caused the incident and/or may be the source of the incident, so having the extinguisher vehicle-mounted results in greater potential injury of the user. This assumes the only occupants in the building are on a vehicle, which again, significantly reduces access to fire extinguishers throughout the building to other occupants. Future use of the building/tenancy may change further complicating the issue.)

***Section 907.1.4; add to read as follows:**

907.1.4 Design Standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

(Reason: Provides for the ability of descriptive identification of alarms, and reduces need for panel replacement in the future. Change of terminology allows for reference back to definitions of NFPA 72.)

***Section 907.2.1; change to read as follows:**

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies ~~where the~~ having an occupant

load ~~due to the assembly occupancy is~~ of 300 or more persons, or where the ~~Group A~~ occupant load is more than 100 persons above or below the *lowest level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

(Reason: Increases the requirement to be consistent with Group B requirement. Also addresses issue found in Group A occupancies of reduced lighting levels and other A/V equipment that distracts from fire alarm notification devices or reduces ability of fire alarm system to notify occupants of the emergency condition.)

*****Section 907.2.3; change to read as follows:***

907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. {No change.}
   1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.)

{No change to remainder of exceptions.}

(Reason: To distinguish educational from day care occupancy minimum protection requirements. Further, to define threshold at which portable buildings are considered a separate building for the purposes of alarm systems. Exceptions provide consistency with State law concerning such occupancies.)

******Section 907.2.10; change to read as follows:***

907.2.10 Group S. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies ~~three stories or greater in height~~ for interior corridors and interior common areas. Visible notification appliances are not required within storage units.

Exception: {No change.}

(Reason: Because of the potential unknown fire load and hazards in self-storage type facilities, which could include flammable liquids for instance, as well as other hazardous materials, prompt evacuation in

the event of fire alarm is needed; therefore, notification in the corridors/common areas is critical to all such occupancies, regardless of height.)

***Section 907.2.13, Exception #3; change to read as follows:**

3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.

(Reason: To indicate that enclosed areas within open air seating type occupancies are not exempted from automatic fire alarm system requirements.)

***Section 907.4.2.7; add to read as follows:**

907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.

(Reason: Helps to reduce false alarms.)

***Section 907.6.1.1; add to read as follows:**

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

(Reason: To provide uniformity in system specifications and guidance to design engineers. Improves reliability of fire alarm devices and systems.)

***Section 907.6.3; delete all four Exceptions.**

(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This is moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections.)

***Section 907.6.6; add sentence at end of paragraph to read as follows:**

See 907.6.3 for the required information transmitted to the supervising station.

(Reason: To assist responding personnel in locating the emergency event for all fire alarm systems. This was moved from 907.6.5.3 in the 2012 IFC and reworded to match new code language and sections (legacy language).)

***Section 910.2; change Exceptions #2 and 3 to read as follows:**

2. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall ~~not~~ be required in areas of buildings equipped with

control mode special application sprinklers with a response time index of 50(m*S)$^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while still prohibiting such systems from being automatically activated, which is a potential detriment to the particular sprinkler systems indicated.)

***Section 910.2.3; add to read as follows:**

910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m^2) in single floor area.

   Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

   Exception: Buildings of noncombustible construction containing only noncombustible materials.

(Reason: Maintains a fire protection device utilized in such occupancies where it is sometimes necessary to allow chemicals to burn out, rather than extinguish. This is based on legacy language establishing long-standing historical practice.)

***Section 910.4.3.1; change to read as follows:**

910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be ~~manual or~~ automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m2 per 0.4719 m3/s) of smoke exhaust.

(Reason: Makeup air has been required to be automatic for several years now in this region when mechanical smoke exhaust systems are proposed. This allows such systems to be activated from the smoke control panel by first responders without having to physically go around the exterior of the building opening doors manually. Such requires a significant number of first responders on scene to conduct this operation and significantly delays activation and/or capability of the smoke exhaust system.)

***Section 912.2.3; add to read as follows:**

912.2.3 Hydrant Distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

(Reason: To accommodate limited hose lengths, improve response times where the FDC is needed to achieve fire control, and improve ease of locating a fire hydrant in those situations also. Also, consistent with NFPA 14 criteria.)

***Section 913.2.1; add second paragraph and exception to read as follows:**

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by Section 506.1.

(Reason: This requirement allows fire fighters safer access to the fire pump room. The requirement allows access without being required to enter the building and locate the fire pump room interior access door during a fire event. The exception recognizes that this will not always be a feasible design scenario for some buildings, and as such, provides an acceptable alternative to protect the pathway to the fire pump room.)

*****Section 914.3.1.2; change to read as follows:***

914.3.1.2 Water Supply to required Fire Pumps. In all buildings that are more than ~~420~~ 120 feet (~~128~~ 36.6 m) in *building height*, ~~and buildings of Type IVA and IVB construction that are more than 120 feet (36.6 m) in building height,~~ required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: {No change to exception.}

(Reason: The 2009 edition of the IFC added this requirement based on a need for redundancy of the water supply similar to the redundancy of the power supply to the fire pumps required for such tall buildings, partially due to the fact that these buildings are rarely fully evacuated in a fire event. More commonly, the alarm activates on the floor of the event, the floor above and the floor below. Back-up power to the fire pump becomes critical for this reason. Certainly, the power is pointless if the water supply is impaired for any reason, so a similar requirement is provided here for redundant water supplies. The 2015 edition changes the requirement to only apply to very tall buildings over 420 ft. This amendment modifies/lowers the requirement to 120 ft., based on this same height requirement for fire service access elevators. Again, the language from the 2009 and 2012 editions of the code applied to any high-rise building. This compromise at 120 ft. is based on the above technical justification of defend-in-place scenarios in fire incidents in such tall structures.)

******Section 1006.2.1; change Exception #3 to read as follows:***

1006.2.1 Egress based on occupant load and common path of egress travel distance. Two exits or exit doorways from any space shall be provided where the design occupant load or the common path of egress travel distance exceeds the values listed in Table 1006.2.1. The cumulative occupant load from adjacent rooms, areas or space shall be determined in accordance with Section 1004.2.

Exceptions:

1. {No change.}
2. {No change.}

3. Unoccupied rooftop mechanical rooms and penthouses are not required to comply with the common path of egress travel distance measurement.

(Reason: Add "rooftop" to Exception No. 3 to clarify that only such mechanical rooms located on the roof may be exempted.)

***Section 1009.8; add Exception #7 to read as follows:**

Exceptions:

1. through 6. {No change.}
7. Buildings regulated under State Law and built in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and Chapter 11.

(Reason: To accommodate buildings regulated under Texas State Law and to be consistent with amendments in Chapter 11.)

Section 1010.2.5; change Exceptions #3 and 4 to read as follows:

Exceptions:

1. {No change.}
2. {No change.}
3. Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy. (remainder unchanged)
4. Where a pair of doors serves a Group A, B, F, M or S occupancy (remainder unchanged)
5. {No change.}

(Reason: It is common in our region to see the 2nd leaf locked, when that leaf is not part of the required egress door clear width, such as in a typical Group M occupancy. Exception No. 4 was expanded to Group A due to it being a similar situation for Group A restaurants.)

***Section 1020.2; add Exception #6 to read as follows:**

Exceptions:

1. through 5. {No change.}
6. In unsprinklered group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector must activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors must be connected to an approved automatic fire alarm system where such system is provided.

(Reason: Similar concept was previously in UBC – legacy language. This scenario occurs primarily in existing, non-sprinklered buildings, which under current IBC would be required to have a fire resistance rated corridor. This exception provides a cost-effective solution for single tenant space in lieu of the base IBC requirement to retrofit a fire sprinkler system throughout the building.)

****Section 1030.1.1.1; add Exception#4 to read as follows:**

Exceptions:

1. through 3. {No change.}

4. Where alternate means or methods are submitted to and approved by the Building and Fire Officials.

(Reason: This base IBC provision applies to all grandstands and bleachers and does not differentiate between open air grandstands & bleachers, smaller, less complex grandstands and bleachers and or movable/non-fixed grandstands and bleachers. The new exception permits the AHJ to be presented with alternate means or methods that take into consideration these differentiators that are unique to the specific grandstand and/or bleacher.)

***Section 1032.2; change to read as follows:**

1032.2 Reliability. Required *exit accesses, exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency ~~where the building area served by the means of egress is occupied~~. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress.

(Reason: Maintain legacy levels of protection and long-standing regional practice, and provide firefighter safety.)

***Section 1103.3; add sentence to end of paragraph as follows:**

Provide emergency signage as required by Section 604.4.

(Reason: This signage to avoid elevators in a fire emergency is critical to life safety justifying the retroactive requirement.)

***Section 1103.5.1; add sentence to read as follows:**

Fire sprinkler system installation shall be completed within 24 months from date of notification by the fire code official.

(Reason: Regional consistency of this retroactive requirement to allow business owners adequate time to budget to accommodate the cost of the fire sprinkler system.)

***Section 1103.5.6; add to read as follows:**

1103.5.6 Spray Booths and Rooms. Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

(Reason: Consistent with amendment to IFC 2404, and long-standing regional requirement to protect this hazardous operation.)

Section 1103.7.7; add to read as follows:

1103.7.7 Fire Alarm System Design Standards. Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

Exception: Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the

building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

1103.7.7.1 Communication requirements. Refer to Section 907.6.6 for applicable requirements.

(Reason: To assist responding personnel in locating the emergency event and provide clarity as to percentages of work that results in a requirement to upgrade the entire fire alarm system.)

******Section 1203; change and add to read as follows:***

1203.1.1 {No change.}
1203.1.2 {No change.}
1203.1.3 Installation. Emergency power systems and standby power systems shall be installed in accordance with the *International Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.
1203.1.4 {No change.}
1203.1.5 Load Duration. Emergency power systems and standby power systems shall be designed to provide the required power for a minimum duration of 2 hours without being refueled or recharged, unless specified otherwise in this code.

Exception: Where the system is supplied with natural gas from a utility provider and is approved.

1203.1.6 through 1203.1.9 {No changes to these sections.}
1203.1.10 Critical Operations Power Systems (COPS). For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.
1203.2 Where Required. Emergency and standby power systems shall be provided where required by Sections 1203.2.1 through 1203.2.~~18~~26 or elsewhere identified in this code or any other referenced code.
1203.2.1 through 1203.2.3 {No change.}
1203.2.4 Emergency Voice/alarm Communications Systems. Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, or as specified elsewhere in this code, as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

Covered and Open Malls, Section 907.2.20 and 914.2
Group A Occupancies, Sections 907.2.1 and 907.5.2.2
Special Amusement Areas, Section 907.2.12 and 914.7
High-rise Buildings, Section 907.2.13 and 914.3
Atriums, Section 907.2.14 and 914.4
Deep Underground Buildings, Section 907.2.19 and 914.5

1203.2.5 through 1203.2.14 {No change.}
1203.2.15 Means of Egress Illumination. Emergency power shall be provided for *means of egress* illumination in accordance with Sections 1008.3 and 1104.5.1. (90 minutes)
1203.2.16 Membrane Structures. Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6. (90 minutes) Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with Section 2702 of the *International Building Code*. (4 hours) Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with section 3103.10.4.
1203.2.17 {No change.}
1203.2.18 Smoke Control Systems. Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, as required in Section 909.11:

Covered Mall Building, *International Building Code*, Section 402.7

Atriums, *International Building Code*, Section 404.7
Underground Buildings, *International Building Code*, Section 405.8
Group I-3, *International Building Code*, Section 408.4.2
Stages, *International Building Code*, Section 410
Special Amusement Areas (as applicable to Group A's), *International Building Code*, Section 411
Smoke Protected Seating, Section 1030.6.2

1203.2.19 {No change.}

1203.2.20 Covered and Open Mall Buildings. Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.

1203.2.21 Airport Traffic Control Towers. A standby power system shall be provided in airport traffic control towers more than 65 ft. in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

1203.2.22 Smokeproof Enclosures and Stair Pressurization Alternative. Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.7.2.

1203.2.23 Elevator Pressurization. Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

1203.2.24 Elimination of Smoke Dampers in Shaft Penetrations. Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

1203.2.25 Common Exhaust Systems for Clothes Dryers. Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code,* Section 504.11, Item 7.

1203.2.26 Means of Egress Illumination in Existing Buildings. Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

1203.3 through 1203.6 {No change.}

(Reason: These amendments were moved from Chapter 6, due to relocation of the published sections to this new Chapter 12 in the past edition of the code and have now been updated for this edition. These provisions provide a list to complete and match that throughout the codes. The only additional requirements are the reference to COPS in NFPA 70, and the specified Energy time duration. Other changes are a reference to a code provision that already exists.)

*****Section 2304.1; change to read as follows:***

2304.1 Supervision of Dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be ~~conducted by a qualified attendant or shall be under the supervision of a qualified attendant at all times or shall be~~ in accordance with ~~Section 2204.3.~~ the following:

1. Conducted by a qualified attendant; and/or,
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 2304.3.

At any time the qualified attendant of item Number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2304.3.

(Reason: Allows a facility to apply the attended and unattended requirements of the code when both are potentially applicable.)

***Section 2401.2; delete this section in its entirety.**

(Reason: This section eliminates such booths from all compliance with Chapter 24 including, but not limited to: size, ventilation, fire protection, construction, etc. If the product utilized is changed to a more flammable substance, the lack of compliance with Chapter 15 could result in significant fire or deflagration and subsequent life safety hazard.)

***Section 3103.3.1; delete this section in its entirety**

(Reason: This section requires a fire sprinkler system to be installed in temporary tents and membrane structures, which is not a reasonable or enforceable requirement for a temporary use. A fire watch or fire alarm system is a more advisable approach for such occupancies that are only temporary in nature.)

***Table 3206.2, footnote h; change text to read as follows:**

h. ~~Not required~~ Where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of 50 (m • s) 1/2 or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas.

(Reason: Allows the fire department to control the smoke and heat during and after a fire event, while ensuring proper operation of the sprinkler protection provided. Also, gives an alternative to smoke and heat vents.)

***Table 3206.2; add footnote j to row titled 'High Hazard' and 'Greater than 300,000' to read as follows:**

j. High hazard high-piled storage areas shall not exceed 500,000 square feet. A 2-hour fire wall constructed in accordance with Section 706 of the *International Building Code* shall be used to divide high-piled storage exceeding 500,000 square feet in area.

(Reason: This is a long-standing legacy requirement and provides passive protection for extremely large buildings where it would be otherwise impossible to control the spread of fire without the fire wall in place in an uncontrolled fire event, which is much more likely in high hazard commodities, such as tires, flammable liquids, expanded plastics, etc.)

****Section 3311.1; change to read as follows:**

Section 3311.1 Required access. Approved vehicle access for firefighting and emergency response shall be provided to all construction or demolition sites. Vehicle access shall be provided to within ~~100~~ 50 feet (~~30 480~~ 15 240 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. When fire apparatus access roads are required to be installed for any structure or development, access shall be approved prior to the time which construction has progressed beyond completion of the foundation of any structure. Whenever the connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign.

(Reason: Improves access to the FDC where required, as well as coordinates with the timing of installation amendment from Section 501.4.)

***Section 5601.1.3; change to read as follows:**

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

Exceptions:

1. Only when approved for fireworks displays, the storage and handling of fireworks as allowed in Section 5604 and 5608.
2. ~~Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~
3. ~~3.~~2. The use of fireworks for approved fireworks displays as allowed in Section 5608.
4. ~~The possession, storage, sale~~ *… {Delete remainder of text.}*

(Reason: Restricts fireworks to approved displays only, which is consistent with regional practice. Such is intended to help protect property owners and individuals from unintentional fireworks fires within the jurisdiction, as well as to help protect individuals from fireworks injuries. It is noted that there has been a change in the State Law to allow possession of unopened fireworks in certain areas of the vehicle, and it is highly recommended that AHJ's familiarize themselves with the applicable State Laws in this regard.)

***Section 5703.6;** add sentence to end of paragraph to read as follows:*

An *approved* method of secondary containment shall be provided for underground tank and piping systems.

(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)

***Section 5704.2.11.4; change to read as follows:**

5704.2.11.4 Leak Prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 ~~and 5704.2.11.4.2~~ through 5704.2.11.4.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

(Reason: Increased protection in response to underground leak problems and remediation difficulty in underground applications. Coordinates with TCEQ requirements.)

***Section 5704.2.11.4.2; change to read as follows:**

5704.2.11.4.2 Leak Detection. Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.4.3.

(Reason: Reference to IFC Section 5704.2.11.4.3 amendment.)

***Section 5704.2.11.4.3; add to read as follows:**

5704.2.11.4.3 Observation Wells. Approved sampling tubes of a minimum 4 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The

tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

(Reason: Provides an economical means of checking potential leaks at each tank site. This is long-standing regional practice.)

***Section 5707.4; add paragraph to read as follows:**

Mobile fueling sites shall be restricted to commercial, industrial, governmental, or manufacturing, where the parking area having such operations is primarily intended for employee vehicles. Mobile fueling shall be conducted for fleet fueling or employee vehicles only, not the general public. Commercial sites shall be restricted to office-type or similar occupancies that are not primarily intended for use by the public.

(Reason: The general public does not expect a hazardous operation to be occurring in a typical parking lot or for a fuel truck to be traversing such parking lot, temporarily fueling a vehicle, and moving on to the next area in the parking lot to fuel the next vehicle. Vehicular accidents occur in parking lots on a regular basis, but the presence of a fuel truck, especially one in the process of fueling a vehicle with gasoline, greatly adds to the potential risk involved in such accidents. By restricting such operations to the occupancies in question, the employees of the business may be adequately notified to expect such operations to occur in the parking lot.)

***Section 6103.2.1.8; add to read as follows:**

6103.2.1.8 Jewelry Repair, Dental Labs and Similar Occupancies. Where natural gas service is not available, portable LP-Gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.

(Reason: To provide a consistent and reasonable means of regulating the use of portable LP-Gas containers in these situations. Reduces the hazard presented by portable containers when natural gas is already available. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

***Section 6104.2; add Exception 2. to read as follows:**

Exceptions:

1. *{existing text unchanged}*

2. Except as permitted in Sections 308 and 6104.3.3, LP-gas containers are not permitted in residential areas.

(Reason: To provide a consistent and reasonable means of regulating the use LP-Gas containers. Reduces the hazard presented by such containers when natural gas is already available. References regional amendment to IFC 6104.3.3. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

***Section 6104.3.3; add to read as follows:**

6104.3.3 Spas, Pool Heaters, and Other Listed Devices. Where natural gas service is not available, an LP-gas container is allowed to be used to supply spa and pool heaters or other listed devices. Such container shall not exceed 250-gallon water capacity per lot. See Table 6104.3 for location of containers.

Exception: Lots where LP-gas can be off-loaded wholly on the property where the tank is located may install up to 500 gallon above ground or 1,000 gallon underground approved containers.

(Reason: Allows for an alternate fuel source. Dwelling density must be considered and possibly factored into zoning restrictions. Reduces the hazard presented by over-sized LP-Gas containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

***Section 6107.4 and 6109.13; change to read as follows:**

6107.4 Protecting Containers from Vehicles. Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with ~~NFPA 58~~ Section 312.

6109.13 Protection of Containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

~~**Exception:** Vehicle impact protection shall not be required for protection of LP-gas containers where the containers are kept in lockable, ventilated cabinets of metal construction.~~

(Reason: NFPA 58 does not provide substantial physical protection [it allows raised sidewalks, fencing, ditches, parking bumpers as 'vehicle barrier protection'] of the container(s) from vehicular impact as is required and has been required historically, as per Section 312, i.e. bollard protection. Further, the exception to Section 6109.13 would allow for portable containers in ventilated metal cabinets to not require any physical protection whatsoever from vehicular impact, regardless of the location of the containers. Please note that current State Law does not allow for the enforcement of any rules more stringent than that adopted by the State, so this amendment is only applicable as to the extent allowed by that State Law.)

***{Appendix B Fire-Flow Requirements For Buildings amendments}**

***Table B105.2; change footnote a. to read as follows:**

a. The reduced fire-flow shall be not less than ~~1,000~~ 1,500 gallons per minute.

(Reason: The minimum fire-flow of 1,500 gpm for other than one- and two- family dwellings has existed since the 2000 edition of the IFC, as well as the Uniform Fire Code before that. Little to no technical justification was provided for the proposed code change at the code hearings. The board believes that the already-allowed 75 percent reduction in required fire-flow for the provision of sprinkler protection is already a significant trade-off. The minimum 1,500 gpm is not believed to be overly stringent for the vast majority of public water works systems in this region, especially since it has existed as the requirement for so many years. Further, the continued progression of trading off more and more requirements in the codes for the provision of sprinkler protection has made these systems extremely operation-critical to the safety of the occupants and properties in question. In other words, should the sprinkler system fail for any reason, the fire-flow requirements drastically increase from that anticipated with a sprinkler-controlled fire scenario.)

{Appendix D Fire Apparatus Access Roads amendments}

****Section D102.1; change to read as follows:***

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing up to ~~75,000~~ 85,000 pounds (~~34 050~~ 38 556 kg).

(Reason: To address the current size of fire trucks in use – figure derived from DOT requirements for waiver of vehicle exceeding such weight and from current maximum weights of fire trucks being purchased by jurisdictions in North Texas.)

****Section D103.4; change to read as follows:***

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0–150	~~20~~ 24	None required
151–500	~~20~~ 24	120-foot Hammerhead, 60-foot “Y” or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501–750	26	120-foot Hammerhead, 60-foot “Y” or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.

(Reason: Reflects current increased apparatus access roadway widths as indicated in the recommended amendment to 503.2.1.)

****Section D103.5; change Item 1 to read as follows:***

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than ~~20~~ 24 feet (~~6096~~ 7315.2 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet (3658 mm).

(Reason: Reflects current increased apparatus access roadway widths as indicated in the recommended amendment to 503.2.1.)

******Section D103.6; change to read as follows:***

D103.6 ~~Signs.~~ Marking. Striping, signs, or other markings, when approved by the *fire code official*, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) Striping – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four inch (4") white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

(2) Signs – Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12" wide and 18" high (See Figure D103.6). Signs shall have red letters on a white reflective background, using not less than 2" lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

~~Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent "NO PARKING—FIRE LANE" signs complying with Figure D103.6, or other approved method. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.~~

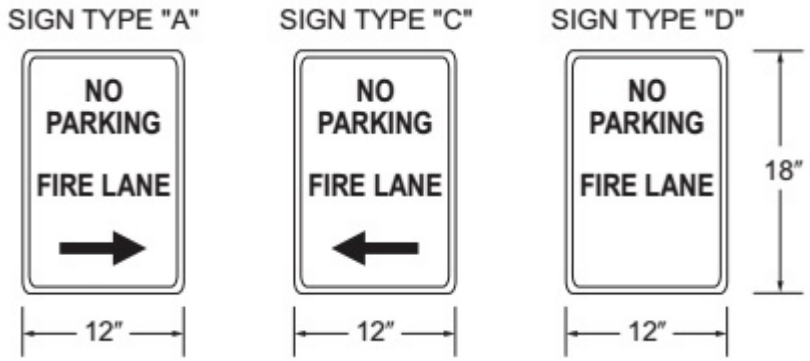


FIGURE D103.6
FIRE LANE SIGNS

(Reason: Reflects current markings for apparatus access roadways as indicated in the recommended amendment to Section 503.3)

******Section D103.6.1 and D103.6.2; delete sections as follows:***

~~**D103.6.1Roads 20 to 26 feet in width.** *Fire lane* signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm).~~

~~**D103.6.2 Roads more than 26 feet in width.** *Fire lane* signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32~~

~~feet wide (9754 mm).~~

(Reason: Reflects current markings for apparatus access roadways as indicated in the recommended amendment to 503.3 and D103.6, which requires the signage on both sides of the fire apparatus access roads, regardless of width)

******Section D104.3; change to read as follows:***
D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)

******Section D105.3; change to read as follows:***

D105.3 Proximity to building. Unless otherwise approved by the fire code official, one or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be *approved* by the *fire code official*.

(Reason: To provide some additional flexibility to the fire code official on the location of the aerial fire apparatus access roads.)

******Section D106.3; change to read as follows:***

D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)

******Section D107.2; change to read as follows:***

D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

(Reason: To provide some additional flexibility to the fire code official on the location of the two fire apparatus access roads.)

******{Appendix L Requirements For Fire Fighter Air Replenishment Systems amendments}***

******Section L101.1; change to read as follows:***

Section L101.1 Scope. Fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix in new buildings when any of the following conditions occur:

1. Any new building 5 or more stories in height.
2. Any new building with 2 or more floors below grade.
3. Any new building 500,000 square feet or more in size.

Each stairwell shall have a supply riser. SCBA fill panels shall be located on odd numbered floors commencing at the first level in the primary stairwell and on even numbered floors commencing at level 2 in the remaining stairwells. Fill panels in buildings over 500,000 square feet shall be located adjacent to each standpipe connection.

~~The adopting ordinance shall specify building characteristics or special hazards that establish thresholds triggering a requirement for the installation of a FARS. The requirement shall be based on the fire department's capability of replenishing fire fighter breathing air during sustained emergency operations. Considerations shall include:~~

~~1. Building characteristics, such as number of stories above or below grade plane , floor area, type of construction and fire-resistance of the primary structural frame to allow sustained fire-fighting operations based on a rating of not less than 2 hours.~~

~~2. Special hazards, other than buildings, that require unique accommodations to allow the fire department to replenish fire fighter breathing air.~~

~~3. Fire department staffing level.~~

~~4. Availability of a fire department breathing air replenishment vehicle.~~

(Reason: Breathing air is critical for firefighting operations. Historically, fire departments have supplied air bottles by manually transporting air bottles up stairways or across long distances in a building, which is an extraordinarily intensive process and takes firefighters away from their primary mission of rescue and firefighting. The FARS technology in Appendix L exists to address this issue using in-building air supply systems. Many jurisdictions in North Texas and across the country have already adopted this Appendix and are enforcing and installing these systems to improve the life safety of firefighters and enhance their firefighting capabilities in an emergency incident, which is one of the reasons for recommending this Appendix for adoption – to ensure regional consistency, as well as to improve mutual emergency aid among jurisdictions in North Texas.)

******Section L104.13.1; delete this section in its entirety.***

(Reason: The amendment to Section L101.1 above addresses the location criteria for SCBA fill panels.)

******Section L104.14; add paragraph to read as follows:***

> The external mobile air connection shall be located with approved separation from the Fire Department Connection (FDC) to allow functionality of both devices by first responders; shall be visible from and within 50 ft. of a fire apparatus access road along an unobstructed path; and shall be located in an approved signed, secured cabinet.

(Reason*: To accommodate the needs of first responders to be able to locate and utilize the required connection to ensure air supply availability to this system, similar to the requirements of FDC's.)*

END

Updating Building and Fire Codes

HONORE BRITTON / PARVIZ POURAZIZIAN

ORDINANCE

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS, TEXAS, AMENDING THE APPROPRIATE SECTIONS OF THE CODE OF ORDINANCES TO ADOPT THE 2021 INTERNATIONAL BUILDING CODE, THE 2021 INTERNATIONAL RESIDENTIAL CODE, THE 2021 INTERNATIONAL PLUMBING CODE, THE 2021 INTERNATIONAL MECHANICAL CODE, THE 2023 NATIONAL ELECTRICAL CODE, THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2021 INTERNATIONAL FUEL GAS CODE, THE 2021 INTERNATIONAL EXISTING BUILDING CODE, THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE, THE 2021 INTERNATIONAL FIRE CODE, AND THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE

BACKGROUND

The City of Glenn Heights currently operating under the 2015 version of the building and related codes. Generally, municipalities update their codes every 3 years.

The City of Glenn Heights, through ordinances O-04-18 and O-08-16, updated the current effective codes in 2016 and 2018, respectively, and no updates have been made since.

After internal discussions with the fire department and our consultant who manages our building plan review and inspections, we have decided to propose adopting the codes according to the table in the next slide.

FIRE CODE

CODE	CURRENT	PROPOSED	ADOPTED BY ORDINANCE
International Building Code	2015	2021	Ordinance O-04-18 adopted 2/20/18
International Residential Code	2015	2021	Ordinance O-04-18 adopted 2/20/18
International Plumbing Code	2015	2021	Ordinance O-04-18 adopted 2/20/18
International Mechanical Code	2015	2021	Ordinance O-04-18 adopted 2/20/18
National Electrical Code	2014	2023	Ordinance O-04-18 adopted 2/20/18
International Energy Preservation Code	2015	2021	Ordinance O-04-18 adopted 2/20/18
International Fuel Gas Code	2015	2021	Ordinance O-04-18 adopted 2/20/18
International Existing Building Code	2015	2021	Ordinance O-04-18 adopted 2/20/18
International Pool and SPA Code	2015	2021	Ordinance O-04-18 adopted 2/20/18
International Fire Code	2015	2021	Ordinance O-04-18 adopted 2/20/18
International Property Maintenance Code	2015	2021	Ordinance O-09-16 adopted 8/2/16

** In addition to the all of the above Internation and National codes we also recommend adopting the North Central Council of Government amendments.

FIRE CODE

IFC®
INTERNATIONAL
FIRE
CODE®
A Member of the International Code Family®
2021
ICC
INTERNATIONAL
CODE COUNCIL®

Introduction

The International Fire Code (**IFC**) is Published by the International Code Council (**ICC**) on a 3-year publication cycle.

- Glenn Heights currently uses the IFC 2015 publication
- Prior Publications
  - 2018
  - 2021
- The most current edition of the IFC is the 2024 publication

Significant changes in the 2021 IFC from 2015

North Central Texas Council of Governments (NCTCOG)

- Recommended amendments to the 2021 IFC
  - Options A and B

We would like to proposed adoption of the 2021 IFC and amendments to this publication as recommended by the NCTCOG

IFC Editions Used By Surrounding Fire Departments

IFC 2015, 2018, 2021, 2024

- **Cedar hill**
  - ✓Currently using 2018 upgrading to 2021
- **Desoto**
  - ✓Recently upgraded to 2021 in January 2024
- **Lancaster**
  - ✓Currently using 2015 upgrading to 2021
- **Red Oak**
  - ✓Currently using 2018 upgrading to 2024
- **Ovilla**
  - ✓Recently upgraded to 2018 last year

1308 East Bear Creek Rd.

215 E. Ovilla Rd

2400 S. Hampton Rd

760 E. Ovilla Rd.

Changes in the IFC since 2015

Glenn Heights has experienced a lot of new development, and that trend will continue for years to come. Many of the codes are vague in addressing the new development and businesses the city. Since 2015 our city has witnessed steady growth and an increase in business interest.

Examples of Changes

2015 IFC

SECTION 703: FIRE-RESISTANCE-RATED CONSTRUCTION

- 703.1 Maintenance.
  - 703.1.1 Fireblocking and draftstopping.
  - 703.1.2 Smoke barriers and smoke partitions.
  - 703.1.3 Fire walls, fire barriers and fire partitions.
- 703.2 Opening protectives.
  - 703.2.1 Signs.
  - 703.2.2 Hold-open devices and closers.
  - 703.2.3 Door operation.
- 703.3 Ceilings.
- 703.4 Testing.

2021 IFC

SECTION 703: PENETRATIONS

- 703.1 Maintaining protection
- 703.2 Repair of penetrations

Section 704 – 708 has been added to the 2021 edition.

2015 IFC

- SECTION 704: FLOOR OPENINGS AND SHAFTS

2021 IFC

- SECTION 704: JOINTS AND VOIDS
- SECTION 705: DOOR AND WINDOW OPENINGS
- SECTION 706: DUCT AND AIR TRANSFER OPENINGS
- SECTION 707: CONCEALED SPACES
- SECTION 708: SPRAY FIRE-RESISTANT MATERIALS AND INTUMESCENT FIRE-RESISTANT MATERIALS

2021 IFC

Section 901.4.3 has been added since the 2015 version

901.4.3 Alterations in buildings and structures.

For any alteration within a building or structure, the fire protection and life safety systems shall be extended, altered or augmented to maintain and continue protection within the building or structure. Persons shall not remove or modify any fire protection or life safety system installed or maintained under the provisions of this code or the International Building Code without approval from the fire code official.

SECTION 1006: NUMBERS OF EXITS AND EXIT ACCESS DOORWAYS

IFC 2015

1006.2.2.4 Day care means of egress.

- Day care facilities, rooms or spaces where care is provided for more than 10 children that are 21/2 years of age or less, shall have access to not less than two exits or exit access

IFC 2021

1006.2.2.4 Electrical rooms.

- The location and number of exit or exit access doorways shall be provided for electrical rooms in accordance with Section 110.26 of NFPA 70 for electrical equipment rated 1,000 volts or less, and Section 110.33 of NFPA 70 for electrical equipment rated over 1,000 volts. Panic hardware shall be provided where required in accordance with Section 1010.2.9.2.

EXITS AND EXIT ACCESS DOORWAYS Cont.

IFC 2015

Section 1006.2.2.6

- Not included in the 2015 edition
- **Group R-3** is a building that does not contain more than two dwelling units, Adult care 5 or less, Childcare 5 or less, Congregate living facilities with 16 or less persons
- **Group R-4** Residential Occupancy include residential care / assisted living more than 5 but not more than 16

IFC 2021

1006.2.2.6 Groups R-3 and R-4.

- Where **Group R-3** occupancies are permitted by Section 903.2.8 to be protected by an automatic sprinkler system installed in accordance with Section 903.3.1.3, the exit access travel distance for Group R-3 shall be not more than 125 feet (38 100 mm).
- **Group R-4** occupancies are permitted by Section 903.2.8 to be protected by an automatic sprinkler system installed in accordance with Section 903.3.1.3, the exit access travel distance for Group R-4 shall be not more than 75 feet (22 860 mm).

NCTCOG Recommended 2021 Amendments Options

Section 202 (General Definitions)

Explanation of Options A and B:

Please note that as there is a wide range in firefighting philosophies/capabilities of cities across the region, **OPTIONS "A"** and **"B"** are provided in the Fire and Building Code amendments.

Jurisdictions should choose one of these based on their fire-fighting philosophies/capabilities when adopting code amendments.

NCTCOG Recommended Amendments Cont.

OPTION A

HIGH-PILED COMBUSTIBLE STORAGE:

Specifies that any building classified as a group **S Occupancy** or Speculative Building exceeding 12,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage.

OPTION B

HIGH-PILED COMBUSTIBLE STORAGE:

Option B reads the same with the exception being a building exceeding 6,000 sq. ft.

NCTCOG Recommended Amendments Cont.

OPTION A

HIGH-RISE BUILDING.

A building with an occupied floor located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access.

{*No Change Required*}

OPTION B

HIGH-RISE BUILDING.

Option B has elected to lower the standard to 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

NCTCOG Recommended Amendments Cont.

OPTION A
Section 903.2.11

- **Change 903.2.11.3**
  - 903.2.11.3 Buildings 55 Feet or more in Height.
- **Add 903.2.11.7 and 903.2.11.8**
  - Were taken out of the 2018 IFC and added back in the 2021 edition to read the same as in 2015.

OPTION B
Section 903.2.11

- **Change 903.2.11.3**
  - 903.2.11.3 Buildings 35 feet or more in height
- **Add 903.2.11.7, 903.2.11.8, and 903.2.11.9**
  - 903.2.11.7 High-Piled Combustible Storage.
  - 903.2.11.8 Spray Booths and Rooms.

An automatic sprinkler system shall be installed throughout buildings that have one or more stories ~~with an occupant load of 30 or more~~, other than penthouses in compliance with Section 1511 of the International Building Code, located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

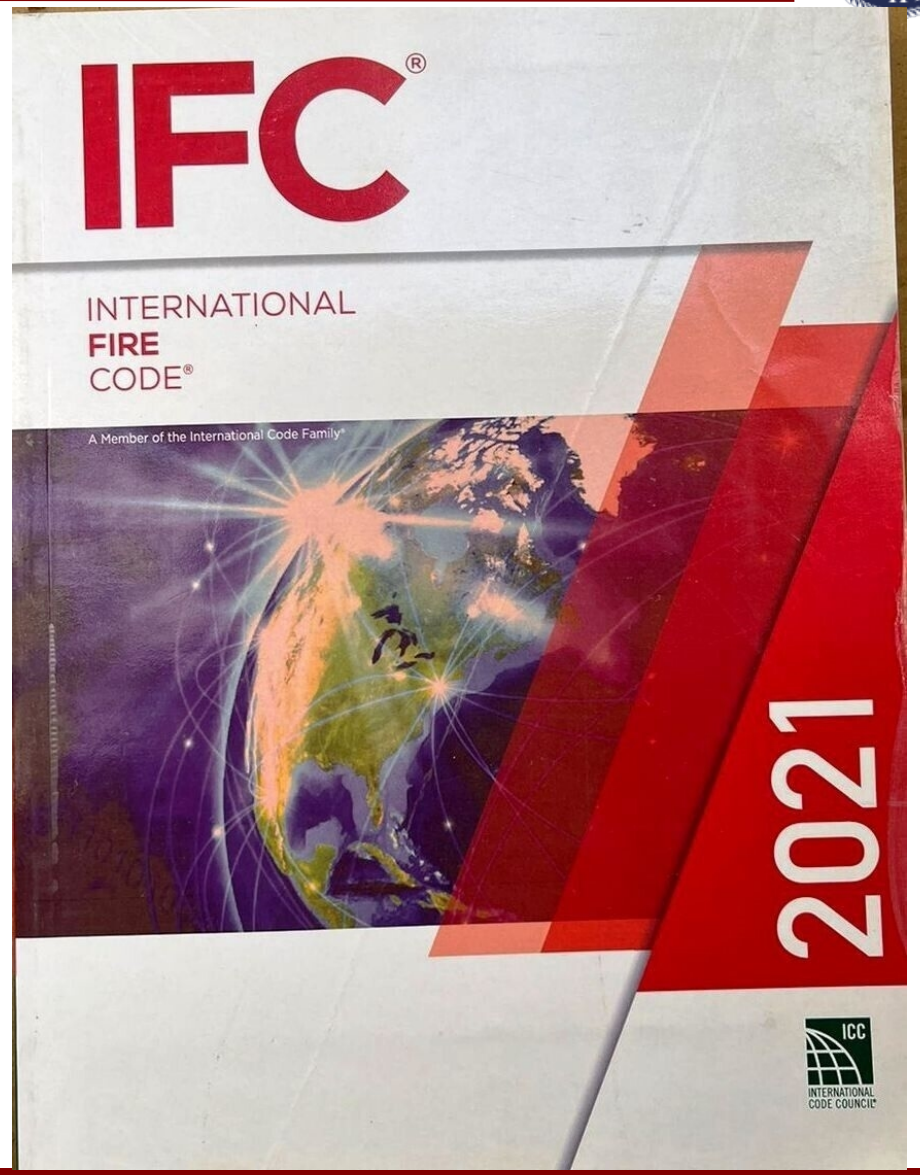
An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Staff Recommendations

The need has arisen to meet the demands and challenges of our growing city by updating our fire codes to meet the standards of our neighboring municipalities. Enforcing current regulations helps to protect life and property from mitigating factors that present hazards to the public and a burden on emergency responders.

After deliberating with local fire marshals in the area, the consensus is that most municipalities are adopting the 2021 edition of the IFC. These codes keep our city within the three-year publication cycle which is the status quo of regulations followed in the region.

- We would like to propose adopting the **2021 IFC** with the amendments recommended by the NCTCOG.
- Considering the size of our City we recommend using **Option B** of the amendments when enforcing the code in our city.



RECOMENDATION

- Staff **recommend approval** of the proposed ICC update.

Q & A

Questions and Comments?

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AGENDA SUMMARY SHEET
June 4, 2024

AGENDA, ITEM 4

Discuss and first reading of Ordinance O-13-24, an Ordinance of the City Council of the City of Glenn Heights, Texas, amending Article A12.000 (“Parks and Recreation”) of Appendix A, the city’s Master Fee Schedule, of the Code of Ordinances, City of Glenn Heights, Texas, to adopt new fees for Park Rentals, Special Events, Vendors’ Fees and related items; providing that other fees not listed but now charged pursuant to other Ordinances and Resolutions shall remain in effect until transferred to the Master Fee Schedule by amendment; and providing that future amendments to the Master Fee Schedule may be effected by Ordinance or Resolution. (Clifford Blackwell, City Manager)

Motion	
Second	
For	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Against	Brown, Garrett, Mosley, Bruton, Hale, Lightfoot, Benford
Abstain	
Approve/ Deny/ Table	

CITY OF GLENN HEIGHTS, TEXAS

ORDINANCE NO. O-14-24

AN ORDINANCE OF THE CITY OF GLENN HEIGHTS GLENN HEIGHTS, TEXAS, AMENDING ARTICLE A12.000 ("PARKS AND RECREATION") OF APPENDIX A, THE CITY'S MASTER FEE SCHEDULE, OF THE CODE OF ORDINANCES, CITY OF GLENN HEIGHTS, TEXAS, TO ADOPT NEW FEES FOR PARK RENTALS, SPECIAL EVENTS, VENDORS' FEES AND RELATED ITEMS; PROVIDING THAT OTHER FEES NOT LISTED BUT NOW CHARGED PURSUANT TO OTHER ORDINANCES AND RESOLUTIONS SHALL REMAIN IN EFFECT UNTIL TRANSFERRED TO THE MASTER FEE SCHEDULE BY AMENDMENT; PROVIDING THAT FUTURE AMENDMENTS TO THE MASTER FEE SCHEDULE MAY BE EFFECTED BY ORDINANCE OR RESOLUTION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Glenn Heights has heretofore adopted a Master Fee Schedule, which is published and codified as Appendix "A" to the Code of Ordinances, City of Glenn Heights, Texas, for the purpose of setting forth the comprehensive fees assessed and collected by the City for a range of applications, permits, licenses, services and activities; and

WHEREAS, the City Council desires to amend the said Fee Schedule to add new fees and does so by this Ordinance; and

WHEREAS, in the event there is a conflict between a fee listed in the Master Fee Schedule and the provisions of any other City ordinance or resolution, the provisions of the Master Fee Schedule shall prevail; and

WHEREAS, although the purpose of this ordinance is to amend the Master Fee Schedule, this ordinance is not intended to amend, abolish or change any fee heretofore established that is not listed in the Master Fee Schedule, Now, Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS:

SECTION 1. That Article A12.000, "Parks and Recreation," of Appendix A, the Master Fee Schedule, of the Code of Ordinances, City of Glenn Heights, Texas, be and is hereby amended by amending subsections (a) and (b) and by adding new subsections (e)(7), (g) and (h), without amendment or repeal to any other subsection or subpart of Article A12.000, such that from the effective date of this ordinance, the fees and charges attached hereto as Exhibit "A" shall be collected on behalf of the City for the listed applications, permits, licenses, activities or services.

SECTION 2. That in the event of a conflict between a fee set out in the Master Fee Schedule and the provisions of any other City ordinance or resolution, the provisions of the Master Fee Schedule shall prevail; however, this ordinance shall not amend, abolish or change any fee

heretofore established that is not listed in the Master Fee Schedule and such fees shall continue in effect for all purposes until amended by ordinance or resolution or transferred to the Master Fee Schedule.

SECTION 3. That future amendments to the Master Fee Schedule may be made by the City Council by ordinance or resolution, each of which shall have the same effect in amending the provisions of the Master Fee Schedule.

SECTION 4. That all provisions of the ordinances and resolutions of the City of Glenn Heights in conflict with the provisions of this ordinance be and the same are hereby repealed and all other provisions of the ordinances and resolutions of the City of Glenn Heights not in conflict with the provisions hereof shall remain in full force and effect.

SECTION 5. That if any section, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, it being the legislative intent that the provisions of this ordinance are severable and that the ordinance shall continue in effect notwithstanding the invalidity of such section, sentence, clause, or phrase.

SECTION 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GLENN HEIGHTS, TEXAS ON THIS THE ___DAY OF _____, 2024.

APPROVED:

_____
Sonja A. Brown, Mayor

ATTEST:

_____
Brandi Brown, City Secretary

APPROVED AS TO FORM:

_____
David M. Berman, City Attorney

APPENDIX A

MASTER FEE SCHEDULE

. . .

ARTICLE A12.000 Parks and recreation.

§A12.001 Parks and recreation.

(a) Park pavilion rental (minimum 4-hour rental):
- (1) Heritage Park: $25.00 hour resident $35.00 hour nonresident.
- (2) All Abilities Park: $45.00 hour resident $55.00 hour nonresident.

(b) Ballfield rental (minimum 2-hour rental):
- (1) Resident: $25.00 hour.
- (2) Nonresident: $35.00 hour.
- (3) Concession Deposit: $100.00 resident/ $150.00 nonresident.
- (4) Concession rental: $25.00 hour resident $35.00 hour nonresident.

. . .

(e) Parks and recreation facility rentals:

. . .

(7) Heritage Park special events (excluding ballfields) (minimum 4-hour rental).
- (A) Deposit: $250.00 resident $450.00 nonresident.
- (B) Park rental: $250.00 hour resident $400.00 hour nonresident.

. . .

(g) Special Event Permits (for any organization sponsoring or participating in the event):
- (1) Any vendor engaged in information distribution: $25.00 per event.
  If attendance is greater than 300: $50.00 per event.
- (2) Any vendor engaged in sale of consumables: $50.00 per event.
  If attendance is greater than 300: $100.00 per event.
- (3) Any nonprofit organization: $25.00 per event.
  If attendance is greater than 300: $50.00 per event.
- (4) Mobile Food Vendor Permit: $250.00 per event.

(h) The city manager shall have the authority to waive special event permit fees (under (e)(7) or (g) above) as s/he deems appropriate or necessary for the scheduled event.