



GARLAND

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

**City of Garland
Duckworth Building, Goldie Locke Room
217 North Fifth Street
Garland, Texas
August 16, 2016
7:00 p.m.**

The City Council extends to each visitor a sincere welcome. We value your interest in your community and your participation in the meetings of this governing body. Regular meetings of the City Council are held the 1st and 3rd Tuesdays of each month, beginning at 7:00 p.m.; the City Council meets regularly in work sessions at 6:00 p.m. the Monday preceding each regular meeting.

The Duckworth Building is wheelchair accessible. Special parking is available on the north side of the building on Austin Street and may be accessed by a sloped ramp from the street to the door facing Fifth Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made. **BRaille IS NOT AVAILABLE.**

CITY COUNCIL GOALS 2020

(Adopted by Resolution No. 9402 on December 20, 2005)

- **Sustainable quality development and redevelopment**
- **Financially stable government with tax base that supports community needs**
- **Defends rightful powers of municipalities**
- **Fully informed and engaged citizenry**
- **Consistent delivery of reliable City services**
- **Safe, family-friendly neighborhoods**
- **Embrace diversity**

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

The Mayor may present proclamations and recognize attendees or award winners, and may make announcements regarding upcoming City events and matters of interest to citizens. There will be no Council deliberations or votes on these matters.

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has been briefed on these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

1. Consider approval of the minutes of the August 2, 2016 Regular Meeting.
2. Consider approval of the following bids:
 - a. **Term Contract for Air Break and Disconnect Switches** **Bid No. 6698-16**

Irby Utilities **\$163,171.00**

The purpose of this contract is to provide Air Break and Disconnect Switches for use at various substations serviced by Garland Power and Light. This is a Term Contract with four optional renewals.
 - b. **Trade in of Caterpillar Compactor** **Bid No. 6537-16**

Holt Caterpillar **(\$155,000.00)**

The purpose of this contract is to exercise a trade-in option using one Caterpillar 836 Compactor that the City of Garland owns and operates at the Hinton Landfill. This Change Order will result in a decrease of \$155,000 to the original Purchase Order 24399.
 - c. **Steel Transmission Structures for Apollo to E. Richardson** **Bid No. 6732-16**

Techline, Inc.	\$554,644.00
Optional Contingency	<u>55,464.00</u>
TOTAL	\$610,108.00

The purpose of this contract is to purchase tubular Steel Structures for the Apollo to E. Richardson 138 kV Transmission Line Reconstruction. Due to the long lead time on the structures, an Optional Contingency of \$55,464.00 has been included in the bid award amount.

d. Water and Sewer Line Replacements **Bid No. 6466-16**

SYB Construction Company, Inc.	\$2,803,803.00
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The purpose of this contract is to provide construction of approximately 4,600 linear feet of 6-inch water line, approximately 5,000 linear feet of 8-inch water line, and approximately 2,400 linear feet of 8-inch sanitary sewer, along with pavement removal and replacement of all incidentals as shown on the above approved plans.

e. Belt Filter Press Rental **Bid No. 6507-16**

Aspen Rentals, Inc.	\$72,775.00
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The purpose of this Change Order is to request additional rental time of the Belt Filter Press that will ensure continuous biosolids processing during the ongoing Rowlett WWTP Biosolids and Odor Abatement Project. Aspen Rentals was awarded the original contract on Purchase Order 24247. This Change Order represents a 97.8% increase to the original Purchase Order amount of \$74,350.00.

3. Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.

a. Zoning File No. Z 16-16, Jacobs Engineering Group Inc.

Consider an ordinance amending the Garland Development Code of the City of Garland by approving 1) an Amended Concept Plan for Dwelling, Single-Family Detached; Dwelling, Multi-Family; Elder Care-Independent Living and Restaurant and 2) a Detail Plan for Dwelling, Single-Family Detached on a 141.653-acre tract of land zoned Planned Development (PD) District 15-45 for Single-Family-5 (SF-5) Uses, Multi-Family Uses and Limited Community Office Uses and bounded by Holford Road to the northwest, Spring Creek Forest Preserve to the northeast, north Garland Avenue to the southeast and Arapaho Road to the southwest, providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date.

b. Zoning File No. Z 16-20, Baldwin Associates

Consider an ordinance amending the Garland Development Code of the City of Garland by approving a Specific Use Provision for a Charter School on a 8.539-acre tract of land zoned Single-Family-7 (SF-7) District located at 2256 Arapaho Road, south of Arapaho Road and east of north Shiloh Road; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date.

c. Zoning File No. LU 16-01 / Z 16-23, Serene Global

Consider an ordinance amending the Envision Garland Plan Future Land Use Map from "Parks & Open Space (Public and Private)" to "Traditional Neighborhoods;" and amending the Garland Development Code of the City of Garland by approving 1) a change of zoning from Agriculture (AG) District to Planned Development (PD) District for Single-Family-10 (SF-10) Uses and 2) a Concept Plan for Dwelling, Single-Family Detached on a 28.62-acre tract of land located at 2401 and 2601 Brand Road; providing for conditions, restrictions, and regulations; and providing for a penalty and an effective date.

- 4. Consider an ordinance amending Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date.**

Council is requested to consider an ordinance adopting the 2015 editions of the following construction codes: International Building Code, International Residential Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code, International Energy Conservation Code, International Property Maintenance Code, and the 2014 National Electrical Code.

- 5. Consider an ordinance amending Chapter 21, "Fire Prevention," of the Code of Ordinances of the City of Garland; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date.**

Council is requested to consider an ordinance adopting the 2015 International Fire Code with amendments.

6. IH-30 Corridor Catalyst Area Revitalization Plan

Consider by minute action a contract with Freese and Nichols, Inc. for consulting services for the IH-30 Corridor Catalyst Area Revitalization Plan.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards are located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.

7. Hold a public hearing regarding the 2016-17 Proposed Budget

Section 5, Article VII, of the City Charter requires that a Public Hearing be held on the Proposed Budget for the upcoming fiscal year. At the Public Hearing, all interested persons shall be given an opportunity to be heard for or against any item contained in the Proposed Budget. The Proposed Budget for 2016-17 has been available for public inspection in the City libraries, in the City Secretary's Office, and on the City's website since August 3, 2016. A second Public Hearing on the Proposed Budget is scheduled for Thursday, August 25, 2016.

8. Hold a public hearing regarding the Proposed 2016-17 Tax Rate

The Texas Property Tax Code, Section 26.05 (d), provides that a governing body may not adopt a tax rate that exceeds the lower of the rollback tax rate or the effective rate until the governing body has held two public hearings on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065. The 2016-17 Proposed Budget is based on a tax rate of 70.46 cents per \$100 of valuation, which does exceed the effective tax rate of 64.20 cents and the rollback rate of 69.83 cents due to a 10.6% increase in taxable values. A second public hearing is set for Thursday, August 25, 2016, at 7:00 p.m.

9. Request for Development Assistance from VPET USA, Inc.

Consider by minute action approving a development incentive request from VPET USA, Inc. for a partial rebate of applicable Business Personal Property (BPP) tax required of a proposed new manufacturing project for a specific period of time.

10. Hold public hearings on:

- a. **Consider the application of D.R. Rankin PLLC, requesting approval of 1) an amendment to the Concept Plan for Planned Development (PD) District 15-45, 2) a Detail Plan for Multi-Family Uses on property zoned Planned Development (PD) 15-45 District for Single-Family-5 Uses, Multi-Family Uses and Limited Community Office Uses. This property is located at 4221 Arapaho Road. (File No. Z 16-13, District 7)**

The applicant seeks approval of a Detail Plan for a 300-unit multi-family development. The multi-family development will occupy approximately 18 acres of a larger 142-acre mixed-use development.

- b. Consider the application of Craig Turner, requesting approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District. This property is located at 3926 Zion Road. (File No. Z 16-26, District 3).**

The applicant requests approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District for the development of a 1.016 acre single-family dwelling site.

11. Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

Council Member David Gibbons

- Scott Roberts - Plan Commission
- Julius Irozuru - Library Board
- Jaques "Jack" Loraine - Senior Citizens Advisory Committee
- Harlan Seagren - Cultural Arts Commission
- Ed Seghers - Parks and Recreation Board
- Barbara Powers - Citizens Environmental and Neighborhood Advisory Committee
- Cheryl Hagan - Community Multicultural Commission
- Nicholas Oliver - Property Standards Board
- John Young - Board of Adjustment
- Aaron Miller - Building and Fire Codes Board

Council Member Anita Goebel

- Sharon Carstens - Parks and Recreation Board
- LeAnn Hampton - Community Multicultural Commission
- Dwight Nichols - Plumbing and Mechanical Code Board
- Claudia Porras - Cultural Arts Commission
- Wayne Wilmany - Senior Citizens Advisory Committee
- Rodney Blount - Property Standards Board
- Patricia Boone - Library Board
- Arlene Beasley - Board of Adjustment
- Louis Moore - Plan Commission

Council Member BJ Williams

- David Perry - Property Standards Board
- Blanca Sanchez - Cultural Arts Commission
- Shibu Samuel - Community Multicultural Commission
- Weldon Bradley - Building and Fire Codes Board
- Jim Bookhout - Board of Adjustment
- Gwendolyn Daniels - Senior Citizens Advisory Committee
- Katherine Creech - Citizens Environmental and Neighborhood Committee
- Larry Daniels - Plumbing and Mechanical Codes Board
- James Hall, Jr. - Plumbing and Mechanical Codes Board
- Corsharra Jackson - Library Board
- John O'Hara - Plan Commission
- Michael Pendleton - Parks and Recreation Board

Council Member Rich Aubin

- Guy Hull, II - Board of Adjustment
- Kenneth Puckett - Building and Fire Codes Board
- Betty Roberts - Citizens Environmental and Neighborhood Advisory Committee
- Donna Nelson - Community Multicultural Commission
- Howard Gay - Cultural Arts Commission
- Edwina Garner - Library Board
- Margaret Lucht - Parks and Recreation Board
- Truett Welborn - Plan Commission
- Noelia Garcia - Property Standards Board
- Gail Belton - Senior Citizens Advisory Committee

12. Citizen comments.

Persons wishing to address issues not on the agenda may have three minutes to address Council at this time. Council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.

13. Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Verizon FIOS TV 44. Meetings are rebroadcast at 9:00 a.m. and 7:00 p.m. on Wednesday-Sunday and at 7:30 p.m. on Thursday. Live streaming and on-demand videos of the meetings are also available online at www.garlandtx.gov. Copies of the meetings can be purchased through the City Secretary's Office – audio CD's are \$1 each and DVD's are \$3 each.



GARLAND

City Council Regular Session Agenda

Agenda Item 1.

Meeting Date: August 16, 2016

Item Title:

Submitted By: Rene Dowl, City Secretary, City Secretary

Summary:

Consider approval of the minutes of the August 2, 2016 Regular Meeting.

Attachments

Minutes August 2, 2016

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, August 2, 2016, in the Goldie Locke Room at The Duckworth Building, 217 North Fifth Street, Garland, Texas, with the following members present:

COUNCIL PRESENT:

Mayor	Douglas Athas
Mayor Pro Tem Member	Scott LeMay
Council Member	David Gibbons
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	B. J. Williams
Council Member	Rich Aubin
Council Member	James Cahill

STAFF PRESENT:

City Manager	Bryan L. Bradford
City Attorney	Brad Neighbor
City Secretary	Eloyce René Dowl

ABSENT:

Council Member	Lori Dodson
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CALL TO ORDER:

The meeting was called to order by Mayor Douglas Athas. Mayor Athas led the pledge and invocation.

CONSENT AGENDA:

All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Athas read those items into the record. Motion was made Council Member Stanley to approve the agenda as read, seconded by Council Member Gibbons, to approve items 1, 2a, 2b, 2c, 2d, 2e, and 3. Motion carried, 8 ayes, 0 nays.

1. APPROVED**

Approval of the Minutes of the July 19, 2016 Regular Meeting.

2a. APPROVED**

Bid No. 6629-16 to National Field Services in the amount of \$150,000.00 for Utility Substation Services and Equipment.

The purpose of this contract is to provide Utility Substation equipment, maintenance, testing, inspection, and repair services for the Garland Power & Light and TMPA Substations. This is a term contract with four optional renewals.

2b. APPROVED**

Bid No. 6653-16 to Techline, Inc. in the amount of \$156,486.00 and Irby Utilities in the amount of \$126,713.60 for a total bid of \$283,199.60 for underground primary cable.

The purpose for this contract is to provide underground primary cable for Warehouse inventory to support Garland Power & Light's cable installation and replacement projects. This is a term contract with four optional renewals.

2c. APPROVED**

Bid No. 6801-16 to Boydd Products, Inc. in the amount of \$119,707.00 and FirstSpear, LLC in the amount of \$190,135.77 for a total bid of \$309,842.77 for ballistic plates and ballistic helmets for the Garland Police and City Marshals.

The purpose of this contract is to place an order for an "Emergency Purchase" of Heavy Body Armor for all sworn members of the Garland Police Department and the Garland City Marshals.

2d. APPROVED**

Bid No. 6765-16 to Intercon Environmental, Inc. in the amount of \$118,844.10 for the Duck Creek Laboratory Building Demolition.

The purpose of this contract is to provide the asbestos and lead abatement and subsequent demolition of the existing laboratory building located at the Duck Creek Wastewater Treatment Plant.

2e. APPROVED**

Bid No. 6816-16 to Celerity Consulting, LLC in the amount of \$100,000.00 for a process improvement services contract.

The purpose of this contract is to provide process improvement facilitation services for Development and other priority processes. This will be a term contract with four optional renewals.

3. APPROVED**

Ordinance No. 6846 approving a First Amendment to that certain Reimbursement Agreement between Wells Fargo Bank, N. A., and the City of Garland; resolving other matters incident and related thereto and providing an effective date.

Council is requested to approve an ordinance authorizing the City Manager to approve the amendment to the Reimbursement Agreement between the City and Wells Fargo Bank, N. A.

4. NO ACTION TAKEN Appointment of a Deputy Mayor Pro Tem from among its members.

In accordance with City Council Policy Article II, Section 8, "Who shall act as Mayor," the City Council may, at its discretion, choose to elect a deputy mayor pro tem to act as mayor when the Mayor and the Mayor Pro Tem are absent or disabled.

The Council consensus was not to appoint a Deputy Mayor Pro Tem.

5. PROPOSED TAX RATE Motion was made by Council Member Cahill that an item be placed on the September 6, 2016 Council agenda, calling for a tax rate equaling \$70.46 cents per \$100 of valuation for the fiscal year beginning, October 1, 2016 seconded by Council Member B. J. Williams. Council Member Aubin made a motion to amend the tax rate to \$72.46 cents per \$100 of valuation, seconded by Council Member Gibbons. A vote was cast on the amendment and the motion failed, 2 ayes (Aubin and Gibbons), 6 nays (Athas, Goebel, Stanley, Williams, LeMay, and Cahill). A vote was cast on the main motion. Motion carried 8 ayes, 0 nays.

- PUBLIC HEARINGS SET Mayor Athas stated, "I call for two public hearings to be held on the proposed ad valorem tax rate of \$70.46 cents per \$100.00 of valuation - which is scheduled for adoption on September 6, 2016, at 7:00 p.m. in the Goldie Locke Room at the Charles Duckworth Building, 217 N. 5th Street. The public hearings will be held on:

- (1) Tuesday, August 16, 2016 at 7:00 p.m. at the Charles Duckworth Building, Goldie Locke Room, 217 N. 5th Street, Garland, Texas 75040; and

(2) Thursday, August 25, 2016, also at 7:00 p.m. at the Charles Duckworth Building, Goldie Locke Room, 217 N. 5th Street, Garland, Texas 75040

6. PRESENTED

City Manager, Bryan Bradford, formally presented his proposed budget for Fiscal Year 2016-2017.

In accordance with the City Charter, the City Manager shall submit to the City Council, prior to August 16, a Proposed Budget for the coming fiscal year. The City Manager will formally present his Proposed Budget for 2016-17. Following the presentation to Council, copies of the Proposed Budget will be placed in each City Library, in the office of the City Secretary, and on the City's website for public review and inspection.

7a. WITHDRAWN

Council is requested to consider the application of Charles Hicks, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) for Single-Family-5 (SF-5) Uses and 2) a Concept Plan for Dwelling, Single-Family Detached. This property is located at the northeast corner of Brand Road and Campbell Road. (File Z 16-05, District 1)

This application was withdrawn at the request of the applicant.

7b. APPROVED

Consider the application of Baldwin Associates, requesting approval of a Specific Use Provision for a Charter School on a property zoned Single-Family-7 (SF-7) District. This property is located at 2256 Arapaho Road. (File Z 16-20, District 7)

Mayor Athas opened the public hearing at 7:21 p.m. The speakers on this item were Will Guerin, Director of Planning, Kira Wauwie, Principal Development Planner, Robert Baldwin, Texas Can Academy, and George Butler, Arapaho

Road Baptist Church. James Bankhead, Rick Grant, Darla Lyles, Scott Lyles, R. Marquez, D. McClintock, Lionheart Children's Academy, Rudy Oeftering, and David Rogers, registered a position in favor of the applicant, but did not testify. Motion was made by Mayor Pro Tem LeMay to approve the Specific Use Provision for charter school, with a five year term, based on the staff and Plan Commission's recommendation, seconded by Council Member Goebel to close the hearing at 7:35 p.m. Motion carried 8 ayes, 0 nays.

7c. APPROVED

Council is requested to consider the application of Jacobs Engineering Group, Inc., requesting approval of 1) an amended Concept Plan for Dwelling, Single-Family Detached; Dwelling, Multi-Family; Elder Care-Independent Living and Restaurant, 2) a Detail Plan for Dwelling, Single-Family Detached on a property zoned Planned Development (PD) District 15-45 for Single-Family-5 (SF-5) Uses, Multi-Family Uses and Limited Community Office Uses and 3) an alley waiver. This property is bounded by Holford Road to the northwest, Spring Creek Forest Preserve to the northeast, North Garland Avenue to the southeast and Arapaho Road to the southwest. (File Z 16-16, District 7)

The applicant proposed to develop a portion of the property described above with a single-family subdivision.

Mayor Athas opened the public hearing at 7:36 p.m. The speakers on this item were Josue De la Vega, Development Planner and Michael Holigan, for the applicant. Motion was made by Mayor Pro Tem LeMay to approve the request based on the staff and Plan Commission's recommendation, seconded by Council Member Goebel to close the hearing at 7:54 p.m. Motion carried 8 ayes, 0 nays.

7d. APPROVED

Consider the application of Serene Global, requesting approval of 1) an amendment to the Envision Garland Plan Future Land Use Map from "Parks & Open Space (Public and Private)" to "Traditional Neighborhoods;" 2) a zoning

change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-10 (SF-10) Uses and 3) a Concept Plan for Dwelling, Single-Family Detached.

This property is located at 2401 and 2601 Brand Road. (File LU 16-01, District 1)

The applicant seeks approval of an amendment to the Envision Garland Plan Future Land Use Map and of a zoning change and a Concept Plan, to develop the site with a single-family subdivision.

Mayor Athas opened the public hearing at 7:55 p.m. The speakers on this item were Kira Wauwie, Principal Development Planner, Mar Sue Haffner, Owner, and Bob Blesi. Ryan Cole registered a position in favor of the applicant but did not testify. Motion was made by Council Member Gibbons to approve the request based on the staff and Plan Commission's recommendation, seconded by Council Member Cahill to close the hearing at 8:04 p.m. Motion carried 8 ayes, 0 nays.

8. APPOINTED

The following names were placed in nomination for the Garland Youth Council and a vote to appoint each was cast with 8 ayes, 0 nays.

Council Member Stephen W. Stanley

- Katherine Sinclair

Council Member Lori Barnett Dodson

- Jazmin Escamilla

Council Member Jim Cahill

- Emily Crow
- Anthony Tyson

9. CITIZEN COMMENTS: None

10. ADJOURN

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 8:06 p.m.

CITY OF GARLAND, TEXAS

/s/ Douglas Athas, Mayor

/s/ Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. a.

Meeting Date: August 16, 2016

Item Title: Term Contract for Air Break and Disconnect Switches

Submitted By: Ross Owen, Director of Transmission & Distr

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide Air Break and Disconnect Switches for use at various substations serviced by Garland Power and Light. This is a Term Contract with four (4) optional renewals. The quantities are estimated and may be more or less based on actual needs. The unit pricing will remain firm for the first term. Any subsequent price increases must be justified and mutually agreed upon.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Irby Utilities	All	\$163,171.00
TOTAL:		\$163,171.00

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date: N/A

Balance: N/A

This Item: \$163,171

Proposed Balance: N/A

Account #: 451-6999

Fund/Agency/Project – Description and Comments:

Electric Operating Budget - Term Contract to provide Air Break and Disconnect Switches for use at various substations serviced by GP&L

Attachments

Bid Recap

Executive Summary

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2015-16

Document Location: Page 210

Budget Director Approval: **Approval Date:**

Ron Young 08/08/2016

Purchasing Director Approval: **Approval Date:**

Gary L. Holcomb 08/05/2016



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6698-16
Term Contract for Air Break and Disconnect Switches

Recommended Vendor:
Irby Utilities

Total Recommended Award:
\$163,171.00

Basis for Award:
Best Value

Purpose:
The purpose of this contract is to provide air break and disconnect switches for use at various substations serviced by Garland Power & Light. This is a term contract with four (4) optional renewals.

Evaluation:
Requests for bids were issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated based on the criteria of price, lead time, and experience with GP&L. Irby Utilities was marginally lower than Hubbell Power Systems, offering the best value for the City.

Recommendation:
Staff recommends awarding the term contract for air break and disconnect switches to Irby Utilities.

Funding Information:
Blanket Account 451-6999

Department Director:
Ross Owen, Transmission and Distribution Director, 972-205-3532



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. b.

Meeting Date: August 16, 2016

Item Title: Trade in of Caterpillar Compactor

Submitted By: Terry Anglin, Fleet Services Director

PURCHASE JUSTIFICATION:

The purpose of this contract is to exercise a trade-in option using one (1) Caterpillar 836 Compactor that the City of Garland owns and operates at the Hinton Landfill. This Change Order will result in a decrease of \$155,000 to the original Purchase Order 24399.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Holt Caterpillar	1	(\$155,000.00)
TOTAL:		(\$155,000.00)

Fiscal Impact

Total Project/Account: \$1,608,728
Expended/Encumbered to Date: 1,608,728
Balance: \$0
This Item: (155,000)
Proposed Balance: \$155,000
Account #: 692-1609-1715400-9009
Fund/Agency/Project – Description and Comments:
Landfill CIP / EWS - Disposal / Replacement of Landfill Equipment

Attachments

Bid Recap 6537-16
Executive Summary

Fiscal Reference:

Budget Type: CIP
Fiscal Year: 2016
Document Location: Page EW01

Budget Director	Approval Date:
Approval:	08/08/2016
Ron Young	

Purchasing Director	Approval Date:
Approval:	08/04/2016
Gary L. Holcomb	



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6537-16
Trade in of Caterpillar 836 Compactor

Recommended Vendor:
Holt Caterpillar

Total Recommended Award:
(\$155,000.00)

Basis for Award:
Change Order

Purpose:
The purpose of this contract is to exercise a trade-in option using one (1) Caterpillar 836 Compactor that the City of Garland owns and operates at the Hinton Landfill. This Change Order will result in a decrease of \$155,000 to the original Purchase Order 24399.

Evaluation:
Holt Caterpillar was originally awarded the purchase of the 836 Caterpillar Compactor through the BuyBoard Cooperative Contract 424-13.

Recommendation:
Staff recommends awarding the trade-in of the Caterpillar 836 Compactor to Holt Caterpillar.

Funding Information:
692-1609-1715400-9009

Department Director:
Terry Anglin, Fleet Director, 972-205-3524



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. c.

Meeting Date: August 16, 2016

Item Title: Steel Transmission Structures for Apollo to E. Richardson

Submitted By: Ross Owen, Director of Transmission & Distr

PURCHASE JUSTIFICATION:

The purpose of this contract is to purchase tubular Steel Structures for the Apollo to E. Richardson 138 kV Transmission Line Reconstruction. Due to the long lead time on the structures, an Optional Contingency of \$55,464.00 has been included in the bid award amount.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Techline, Inc.	All	\$554,644.00
Optional Contingency		55,464.00

TOTAL:		\$610,108.00

Fiscal Impact

Total Project/Account: \$2,914,007
Expended/Encumbered to Date: 616,596
Balance: \$2,297,411
This Item: 610,108
Proposed Balance: \$1,687,303
Account #: 210-3599-3142901-6051
Fund/Agency/Project – Description and Comments:
Electric CIP Fund / Transmission Lines

Bid #6732-16

Attachments

Bid Recap
Executive Summary

Fiscal Reference:

Budget Type: CIP
Fiscal Year: 2016
Document Location: Page E01

Budget Director	Approval Date:
Approval:	08/08/2016
Ron Young	

Purchasing Director	Approval Date:
Approval:	08/05/2016
Gary L. Holcomb	



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6732-16
Steel Transmission Structures for Apollo to E. Richardson

Recommended Vendor:
Techline, Inc.

Total Recommended Award:
\$610,108.00

Basis for Award:
Lowest Responsible Bid

Purpose:
The purpose of this contract is to purchase tubular steel structures for the Apollo to E. Richardson 138kV Transmission Line Reconstruction. Due to the long lead time on the structures, an optional contingency of \$55,464.00 has been included in the bid award amount.

Evaluation:
Requests for bids were issued in accordance with Purchasing procedures. Three (3) bids were received and evaluated. Graybar's bid response was incomplete, therefore Techline, Inc. was selected as the lowest responsible bidder.

Recommendation:
Staff recommends awarding the bid Techline, Inc.

Funding Information:
210-3599-31429-01-6051

Department Director:
Ross Owen, Transmission & Distribution Director, 972-205-2667



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. d.

Meeting Date: August 16, 2016

Item Title: Water and Sewer Line Replacements

Submitted By: Michael Polocek, Engineering Director

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide construction of approximately 4,600 linear feet of 6-inch water line, approximately 5,000 linear feet of 8-inch water line, and approximately 2,400 linear feet of 8-inch sanitary sewer, along with pavement removal and replacement and all incidentals as shown on the approved plans. The project includes water and sewer replacement at Garvon, Commercial, and State Streets as well as water replacement at Queenswood, Elizabeth, Ridgecrest, and Deepwood Drives.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
SYB Construction Company, Inc.	All	\$2,803,803.00
TOTAL:		\$2,803,803.00

Fiscal Impact

Total Project/Account: \$19,679,909
Expended/Encumbered to Date: 7,243,525
Balance: \$12,436,384
This Item: 2,803,803
Proposed Balance: \$9,632,581
Account #: Various
Fund/Agency/Project – Description and Comments:

Water CIP Fund / Distribution Lines (Up to 14-Inch) - \$876,999
Water CIP Fund / Relocation of Mains Prior to Paving - \$1,089,977
Wastewater CIP Fund / Wastewater Collection / Collection Mains - \$697,737
Street CIP Fund / Street Reconstruction and Improvements - \$139,090

Bid #6466-16

Attachments

Bid Recap
Executive Summary

Fiscal Reference:

Budget Type: CIP
Fiscal Year: 2016
Document Location: Pages W02, W03, WW05, and ST37

Budget Director	Approval Date:
Approval:	08/09/2016
Ron Young	

Purchasing Director	Approval Date:
Approval:	08/10/2016
Gary Holcomb	



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6466-16
Water and Sewer Line Replacements

Recommended Vendor:
SYB Construction Company, Inc.

Total Recommended Award:
\$2,803,803.00

Basis for Award:
Lowest Responsible Bid

Purpose:
The purpose of this contract is to provide construction of approximately 4,600 linear feet of 6 inch water line, approximately 5,000 linear feet of 8 inch water line, and approximately 2,400 linear feet of 8 inch sanitary sewer, along with pavement removal and replacement and all incidentals as shown on the approved plans. The project includes water and sewer replacement at Garvon, Commercial, and State Streets as well as water replacement at Queenswood, Elizabeth, Ridgcrest and Deepwood Drives.

Evaluation:
Requests for bids were issued in accordance with Purchasing procedures. Three (3) bids were received and evaluated with SYB Construction submitting the lowest overall bid. Staff believes this project is fully within their capabilities.

Recommendation:
Staff recommends awarding the construction contract to SYB Construction Company, Inc.

Funding Information:
Water (Garvon-Commercial-State) - \$876,999.00 – Account 220-4049-3019100-9214 (CW191-CP-1-9214)
Sewer (Garvon-Commercial-State) - \$697,737.50 – Account 230-2149-3214900-9305 (CS2149-CP-1-9305)
Streets (Garvon-Commercial-State) - \$139,090.00 – Account 692-4699-3981800-7111
Water (Queenswood Drive) - \$286,183.50 – Account 220-4049-3019200-9214 (CW192-CP-1-9214)
Water (Elizabeth Drive) - \$367,307.00 – Account 220-4049-3019200-9214 (CW192-CP-2-9214)
Water (Ridgcrest Drive) - \$143,601.00 – Account 220-4049-3019200-9214 (CW192-CP-07-9214)
Water (Deepwood Drive) - \$292,885.00 – Account 220-4049-3019200-9214 (CW192-CP-05-9214)

Department Director:
Michael C. Polocek, P.E., Director of Engineering, 972-205-2178



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. e.

Meeting Date: August 16, 2016

Item Title: Belt Filter Press Rental

Submitted By: Wes Kucera, Managing Director

PURCHASE JUSTIFICATION:

The purpose of this Change Order is to request additional rental time of the Belt Filter Press that will ensure continuous biosolids processing during the ongoing Rowlett WWTP Biosolids and Odor Abatement Project. Aspen Rentals was awarded the original contract on Purchase Order 24247. This Change Order represents a 97.8% increase to the original Purchase Order amount of \$74,350.00.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Aspen Rentals, Inc.	All	\$72,775.00

TOTAL:	\$72,775.00
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Fiscal Impact

Total Project/Account:	\$4,875,594
Expended/Encumbered to Date:	4,274,954
Balance:	\$600,640
This Item:	72,775
Proposed Balance:	\$527,865
Account #:	237-4239-3403500-9002

Fund/Agency/Project – Description and Comments:

Wastewater CIP / Wastewater Treatment / Rowlett Creek WWTP Biosolids Expansion

Attachments

Bid Recap 6507-16

Executive Summary

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2016

Document Location: Page WW19

Budget Director

Approval:

Ron Young

Approval Date:

08/08/2016

Purchasing Director

Approval:

Gary L. Holcomb

Approval Date:

08/15/2016



**GARLAND
PURCHASING EXECUTIVE SUMMARY**

Bid 6507-16
Belt Filter Press Rental

Recommended Vendor:
Aspen Rentals, Inc

Total Recommended Award:
\$ 72,775.00

Basis for Award:
Change Order

Purpose:
The purpose of this change order is to allow for additional rental time of the belt filter press that will ensure continuous biosolids processing during the ongoing Rowlett WWTP Biosolids and Odor Abatement Project.

Evaluation:
Aspen Rentals was awarded the original contract on Purchase Order 24247. This change order represents a 97.8% increase to the original Purchase Order amount of \$74,350.00.

Recommendation:
Staff recommends the approval of change order #1 to Purchase Order 24247.

Funding Information:
237-4239-3403500-9002

Department Director:
Wes Kucera, Managing Director Water, Wastewater and Wastewater Treatment, 972-205-3283



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 3. a.

Meeting Date: August 16, 2016

Item Title: Z 16-16 Jacobs Engineering Group, Inc.

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance 16-16 Jacobs Engineering Group Inc.

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Z 16-16 Jacobs Engineering Group, Inc. Ordinance

Z 16-16 Jacobs Engineering Group, Inc. Attachments

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDED CONCEPT PLAN FOR DWELLING, SINGLE-FAMILY DETACHED; DWELLING, MULTI-FAMILY; ELDER CARE-INDEPENDENT LIVING AND RESTAURANT AND 2) A DETAIL PLAN FOR DWELLING, SINGLE-FAMILY DETACHED ON A 141.653-ACRE TRACT OF LAND ZONED PLANNED DEVELOPMENT (PD) DISTRICT 15-45 FOR SINGLE-FAMILY-5 (SF-5) USES, MULTI-FAMILY USES AND LIMITED COMMUNITY OFFICE USES AND BOUNDED BY HOLFORD ROAD TO THE NORTHWEST, SPRING CREEK FOREST PRESERVE TO THE NORTHEAST, NORTH GARLAND AVENUE TO THE SOUTHEAST AND ARAPAHO ROAD TO THE SOUTHWEST; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, at its regular meeting held on the 11th day of July, 2016, the City Plan Commission did consider and make recommendations on a certain request for approval of an amended Concept Plan and Detail Plan made by **Jacobs Engineering Group Inc.**; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1

The Garland Development Code is hereby amended by approving 1)an amended Concept Plan for Dwelling, Single-Family Detached; Dwelling, Multi-Family; Elder Care-Independent Living and Restaurant and 2) a Detail Plan for Dwelling, Single-Family Detached on a 141.653-acre tract of land zoned Planned Development (PD) District 15-45 for Single-Family-5 (SF-5) Uses, Multi-Family Uses and Limited Community Office Uses and bounded by Holford Road to the northwest, Spring Creek Forest Preserve to the northeast, North Garland Avenue to the southeast and Arapaho Road to the southwest and being

ZONING FILE NO. 16-16

more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

Section 3

That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

Section 4

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 5

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2016.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 16-16

BEING AN APPROXIMATE 141.653 ACRE TRACT OF LAND, SITUATED IN THE ONEFRE ALVARADO SURVEY, ABSTRACT NO. 2, GARLAND, DALLAS COUNTY, TEXAS, AND BEING PART OF TRACT NO.1, TRACT NO. 2 AND TRACT NO. 3 IN DEED TO ALTHEC PARTNERSHIP, LTD. AS RECORDED IN VOLUME 2002049, PAGE 2378, DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT X CUT SET AT THE NORTHEAST CORNER CLIP AT THE NORTH RIGHT-OF-WAY LINE OF THE INTERSECTION OF NORTH GARLAND ROAD (A VARIABLE WIDTH RIGHT-OF-WAY) (AKA NORTH STAR ROAD) AND ARAPAHO ROAD (A 100' RIGHT-OF-WAY);

THENCE SOUTH 89 DEGREES 29 MINUTES 41 SECONDS WEST, WITH SAID CORNER CLIP A DISTANCE OF 21.50 FEET TO A 3" CHAIN LINK FENCE POST FOUND FOR CORNER;

THENCE NORTH 46 DEGREES 37 MINUTES 23 SECONDS WEST, WITH THE SAID RIGHT-OF-WAY LINE OF ARAPHO ROAD A DISTANCE OF 297.00 FEET TO A 1/2" IRON ROD SET FOR THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1450.00 FEET, A DELTA OF 8 DEGREES 00 MINUTES 00 SECONDS, A CHORD BEARING OF NORTH 50 DEGREES 37 MINUTES 23 SECONDS WEST, A CHORD DISTANCE OF 202.30 FEET;

THENCE WITH SAID CURVE TO THE LEFT AN ARC DISTANCE OF 202.46 FEET TO A 1/2" IRON ROD SET FOR THE END OF SAID CURVE;

THENCE NORTH 54 DEGREES 37 MINUTES 23 SECONDS WEST, WITH THE SAID RIGHT-OF-WAY LINE OF ARAPHO ROAD A DISTANCE OF 26.24 FEET TO A 1/2" IRON ROD SET FOR THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1350.00 FEET, A DELTA OF 8 DEGREES 46 MINUTES 00 SECONDS, A CHORD BEARING OF NORTH 50 DEGREES 14 MINUTES 23 SECONDS WEST, A CHORD DISTANCE OF 206.36 FEET;

THENCE WITH SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 206.56 FEET TO A 1/2" IRON ROD SET FOR THE END OF SAID CURVE;

THENCE NORTH 45 DEGREES 51 MINUTES 23 SECONDS WEST, WITH THE SAID RIGHT-OF-WAY OF ARAPHO ROAD A DISTANCE OF 1766.62 FEET TO A 1/2" IRON ROD FOUND AT THE INTERSECTION OF ARAPHO ROAD AND HOLFORD ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE NORTH 43 DEGREES 31 MINUTES 53 SECONDS EAST, WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOLFORD ROAD A DISTANCE OF 491.96 FEET TO A 1/2" IRON ROD SET FOR A ELL CORNER OF SAID ALTHEC TRACT;

THENCE NORTH 45 DEGREES 30 MINUTES 51 SECONDS WEST, WITH THE WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOLFORD ROAD A DISTANCE OF 10.00 FEET TO A 1/2" IRON ROD SET FOR ELL CORNER OF SAID TRACT AND RIGHT-OF-WAY;

THENCE NORTH 44 DEGREES 29 MINUTES 09 SECONDS EAST, WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOLFORD ROAD AND THE NORTHEASTERLY LINE OF ALTHEC TRACTS A DISTANCE OF 1609.89 FEET TO A 1/2" IRON ROD SET FOR ELL CORNER OF TRACT FROM WHICH A 5/8" IRON ROD WITH YELLOW CAP FOUND FOR THE WEST CORNER OF LOT 1, BLOCK 1 OF METROCELL ADDITION AN ADDITION TO THE CITY OF GARLAND AS RECORDED IN VOLUME 92126, PAGE 1797 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS BEARS SOUTH 45 DEGREES 30 MINUTES 51 SECONDS EAST A DISTANCE OF 2.0 FEET;

THENCE SOUTH 45 DEGREES 30 MINUTES 51 SECONDS EAST, WITH THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 62.00 FEET TO A 3" CHAIN LINK FENCE POST FOUND FOR CORNER;

THENCE NORTH 44 DEGREES 21 MINUTES 26 SECONDS EAST, WITH THE SOUTHEASTERLY LINE OF SAID LOT 1, A DISTANCE OF 60.36 FEET TO A 5/8" IRON ROD WITH YELLOW CAP FOUND FOR CORNER;

THENCE NORTH 45 DEGREES 50 MINUTES 47 SECONDS WEST, WITH THE NORTHEASTERLY LINE OF SAID LOT 1, A DISTANCE OF 61.87 FEET TO A 1/2" IRON ROD SET FOR CORNER AND BEING IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOLFORD ROAD;

THENCE NORTH 44 DEGREES 29 MINUTES 09 SECONDS EAST, WITH THE NORTHWESTERLY LINE OF ALTHEC TRACT A DISTANCE OF 129.00 FEET TO A WEST CORNER OF A TRACT OF LAND AS CONVEYED TO THE COUNTY OF DALLAS AS RECORDED IN VOLUME 88222, PAGE 817 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS A 1/2" IRON ROD SET FOR CORNER FROM WHICH A 5/8" IRON ROD FOUND BEARS N 30 DEGREES 59 MINUTES 58 SECONDS WEST, A DISTANCE OF 0.89 FEET;

THENCE SOUTH 45 DEGREES 38 MINUTES 41 SECONDS EAST, WITH THE NORTHEASTERLY LINE OF ALTHEC TRACT AND A SOUTHWESTERLY LINE OF COUNTY OF DALLAS TRACT A DISTANCE OF 1268.23 FEET TO A POINT FOR CORNER SAID CORNER BEING AT THE SOUTH CORNER OF SAID COUNTY OF DALLAS TRACT FROM WHICH A 5/8" IRON ROD FOUND FOR THE NORTH CORNER OF STONELEIGH OF SPRING CREEK, NO. 2 AN ADDITION TO THE CITY OF GARLAND IN VOLUME 2001185, PAGE 26 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS BEARS NORTH 44 DEGREES 33 MINUTES 16 SECONDS EAST, A DISTANCE OF 1810.76 FEET;

THENCE NORTH 44 DEGREES 33 MINUTES 16 SECONDS EAST, WITH A SOUTHEASTERLY LINE OF COUNTY OF DALLAS TRACT A DISTANCE OF 162.00 FEET TO A POINT FOR CORNER IN THE MIDDLE OF CREEK SAID CORNER BEING AT A SOUTHWESTERLY CORNER OF CALLED 3.443 ACRES DEDICATED TO THE CITY OF GARLAND FOR PARK, DRAINAGE AND UTILITY PURPOSES

PER SAID STONELEIGH ON SPRING CREEK, NO.2 ADDITION;

THENCE THE FOLLOWING 9 CALLS WITH THE MIDDLE OF SAID CREEK AND WITH THE NORTHEASTERLY LINE OF ALTHEC TRACT AND THE SOUTHWESTERLY LINE OF STONELEIGH ON SPRING CREEK NO. 2 ADDITION;

1. SOUTH 29 DEGREES 16 MINUTES 11 SECONDS EAST, A DISTANCE OF 233.40 FEET;

2. SOUTH 67 DEGREES 54 MINUTES 11 SECONDS EAST, A DISTANCE OF 89.00 FEET;

3. NORTH 70 DEGREES 17 MINUTES 49 SECONDS EAST, A DISTANCE OF 277.00 FEET;

4. SOUTH 76 DEGREES 54 MINUTES 11 SECONDS EAST, A DISTANCE OF 122.00 FEET TO THE SOUTH CORNER OF SAID 3.443 ACRE TRACT TO THE CITY OF GARLAND AND AT THE SOUTHWEST CORNER OF CALLED 4.89 ACRE TRACT OF LAND AS CONVEYED TO THE CITY OF GARLAND FOR PARK, DRAINAGE AND UTILITY PURPOSES PER STONELEIGH ON SPRING CREEK, PHASE 1 ADDITION AN ADDITION TO THE CITY OF GARLAND AS RECORDED IN VOLUME 99317, PAGE 17 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS;

5. SOUTH 26 DEGREES 24 MINUTES 11 SECONDS EAST, A DISTANCE OF 235.00 FEET;

6. SOUTH 03 DEGREES 24 MINUTES 11 SECONDS EAST. A DISTANCE OF 145.00 FEET;

7. SOUTH 60 DEGREES 04 MINUTES 11 SECONDS EAST, A DISTANCE OF 80.00 FEET;

8. NORTH 57 DEGREES 35 MINUTES 49 SECONDS EAST, A DISTANCE OF 250.00 FEET;

9. SOUTH 54 DEGREES 18 MINUTES 11 SECONDS EAST, A DISTANCE OF 247.52 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF NORTH GARLAND AVENUE AND BEING AT THE EAST CORNER OF ALTHEC TRACT AND AT THE SOUTH CORNER OF SAID 4.89 ACRE TRACT;

THENCE SOUTH 44 DEGREES 26 MINUTES 37 SECONDS WEST, WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF NORTH GARLAND AVENUE A DISTANCE OF 357.54 FEET TO A 1/2" IRON ROD SET FOR A ELL CORNER OF SAID RIGHT-OF-WAY;

THENCE SOUTH 45 DEGREES 33 MINUTES 24 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A 1/2" IRON ROD SET FOR A ELL CORNER OF SAID RIGHT-OF-WAY OF NORTH GARLAND AVENUE;

THENCE SOUTH 44 DEGREES 26 MINUTES 36 SECONDS WEST, WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF NORTH GARLAND AVENUE A DISTANCE OF 2436.23 FEET TO THE POINT OF BEGINNING CONTAINING 6,170,416 SQUARE FEET OR 141.653 ACRES OF LAND. THIS PROPERTY IS BOUNDED BY HOLFORD ROAD TO THE NORTHWEST, SPRING CREEK FOREST PRESERVE TO THE NORTHEAST, NORTH GARLAND AVENUE TO THE SOUTHEAST AND ARAPAHO ROAD TO THE SOUTHWEST.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 16-16

- I. Statement of Purpose:** The purpose of this Planned Development is to approve an amended Concept Plan and a Detail Plan for Dwelling, Single-Family Detached.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Single-Family-5 (SF-5) District, Multi-Family (MF) District and Community Office (CO) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**

Concept Plan: Development shall be in general conformance with the Concept Plan set forth in Exhibit C; however, in the event of conflict between the Concept Plan and the written conditions, the written conditions shall apply.

Detail Plan: Development on Tract 1A shall conform with the Detail Plan set forth in Exhibit D; however, in the event of conflict between the Detail Plan and the written conditions, the written conditions shall apply. Approval of a Detail Plan is required prior to any development on any of the tracts reflected on the Concept Plan.

V. Specific Regulations to the Concept Plan:

A. Permitted Uses: All uses are prohibited except as follows:

- Dwelling, Single-Family Detached on Tract 1A and 1B
- Dwelling, Multi-Family on Tract 2 and Tract 3
- Elder Care-Independent Living on Tract 4
- Restaurant on Tract 5

VI. Specific Regulations To Tract 1A:

- A. Minimum Lot Area: The minimum lot area is 5,000 square feet. A minimum of 75% of the total lots will be 5,500 square feet or greater.

At least 27 residential lots with a minimum area of 7,000 square feet shall be provided in Phase 1 of the development of Tract 1A and at least 23 residential lots with a minimum area of 7,000 square feet shall be provided in Phase 2 of the development of Tract 1A.

- B. Minimum Dwelling Unit Size: The minimum dwelling unit size shall be 1,700 square feet.

- C. Minimum Lot Width: 50 feet for internal lots, 60 feet for corner lots and 45 feet for cul-de-sac and eyebrow lots.

- D. Minimum Lot Depth: The minimum lot depth shall be 90 feet.

- E. Minimum Front Yard Setback: The minimum front yard setback shall be 20 feet or reduced to 15 feet as allowed by Sections 2.34(E) (1) (a), (b) and (c) of the Garland Development Code.

- F. Minimum Interior Rear Yard Setback: The minimum rear yard setback shall be 10 feet.

- G. Minimum Rear Yard Setback Adjacent to a Street: The minimum rear yard setback adjacent to a street shall be 15 feet.

- H. Minimum Interior Side Yard Setback: The minimum side yard setback shall be 5 feet.

- I. Minimum Side Yard Setback Adjacent to a Street: The minimum side yard setback shall be 15 feet.

- J. Lot Coverage: The maximum lot coverage shall be 60%.

- K. Maximum Building Height: The building height shall not exceed 35 feet.

- L. Garages: A minimum 2-car garage shall be provided for each house. Front facing garages shall be allowed. Garages shall not be required to conform

with any of the following standards:

- i. Rear entry;
- ii. "J" drives, for front entry properties;
- iii. "Swing" drives, for side entry properties;
or
- iv. The face of the garage door shall not be required to be offset behind the front building line.

However, the garage door may not protrude forward of the main façade of the house and the garage door must be at least 20 feet from the street right-of-way. Each garage shall incorporate at least four of the following architectural elements:

- windows/openings on garage doors
- sconce lighting
- wood veneer
- carriage garage door appearance
- decorative overhangs above garage doors
- columns flanking garage doors
- decorative banding or moldings
- detailed garage door designs with decorative brackets
- garage arches
- eyebrow soldier course over garage doors
- decorative vent covers on gable above garage
- two-car garage with split single doors.

M. Alleys: Alleys shall be waived for the residential development.

N. Screening Features: The Dwelling, Single-Family Detached development shall be screened from Arapaho Road and Holford Road with a masonry wall with a minimum height of 6 feet and a maximum height of 8 feet. The wall must be constructed of brick or stone, in accordance with the City's Technical Standards, or a simulated product with the appearance of hand-laid brick or stone with the same structural integrity of the City's standard screening wall details. In addition to the screening wall, one large canopy tree for every 50 linear feet, or portion thereof, is required and must be equally spaced for the entire length of the wall; these trees must be placed on the street side of the

screening wall. The trees and screening wall shall be located within a minimum eight-foot wide landscape buffer, dedicated to a required Homeowners Association for maintenance, on the street side of the screening wall.

Side and rear yard residential fences adjacent to floodplain shall be a minimum 5-foot tall ornamental metal fence.

- O. Homeowners Association: A homeowners association shall be incorporated and each lot/homeowner shall be a mandatory member. The bylaws of the association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; shall establish a clear and distinct definition of the responsibility of each member; and other provisions as deemed appropriate to secure a sound and stable association. The Bylaws for this association shall be submitted to the Director of Planning for review and approval prior to commencement of construction of any infrastructure improvements within the subdivision.

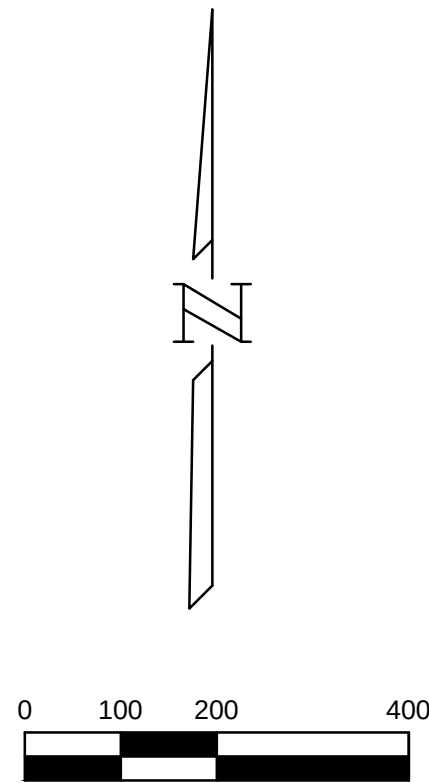
Maintenance of open/common spaces or areas, landscape buffers, irrigation, easements, entry features, perimeter screening, trail and other amenities shall be the responsibility of the homeowners association.

- P. Street Design Specifications: 50-foot right-of-way shall have a pavement width of 30 feet measured face to face. All streets within the subdivision will be public streets. The entrance along Arapaho Road shall have a right-of-way of at least 75 feet and the entrance along Holford Road shall have a right-of-way of at least 60 feet.
- Q. Sidewalk: A 6-foot wide sidewalk along the streets identified as Street F and Street H on the Detail Plan shall connect the required 6-foot wide trail to Holford Road.
- R. Screening and Landscaping: Screening and Landscaping shall be in general conformance with the Landscape Plan set forth in Exhibit E.
- S. Trail: The required 6-foot wide trail on Tract 1A shall be in general conformance with the Trail

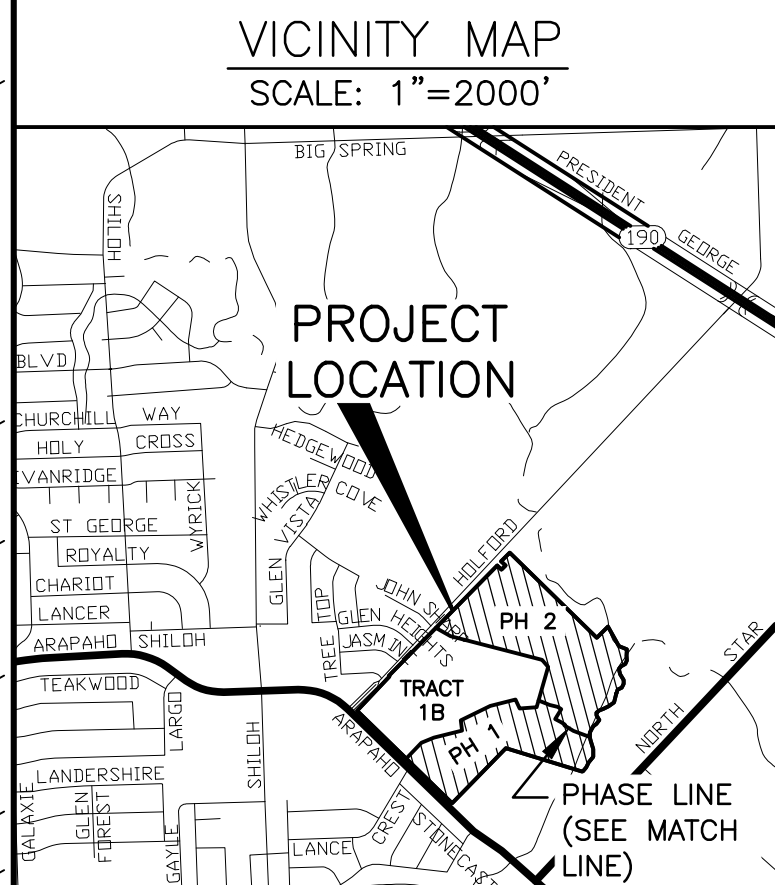
Master Plan set forth in Exhibit F.

LINE	BEARING	DISTANCE
L1	S 45°30'51" E	62.00'
L2	N 44°21'26" E	60.36'
L3	N 45°50'47" W	61.87'
L4	N 44°29'09" E	129.00'
L5	N 44°33'16" E	162.00'
L6	S 29°16'11" E	233.40'
L7	S 67°54'11" E	89.00'
L8	N 70°17'49" E	277.00'
L9	S 76°54'11" E	122.00'
L10	S 26°24'11" E	235.00'
L11	S 03°24'11" E	145.00'
L12	S 60°04'11" E	80.00'
L13	N 57°35'49" E	250.00'
L14	S 54°18'11" E	247.52'
L15	S 45°33'24" E	20.00'
L16	S 89°29'41" W	21.50'
L17	N 54°37'23" W	26.24'
L18	N 54°35'51" W	10.00'

TEXAS NORTH CENTRAL ZONE 4202 AS OBSERVED WITH
GPS RTK AND TIED INTO GEO SHACK NETWORK.



PROPERTY SUMMARY	
TOTAL TRACT ACREAGE	141.653 ACRES
EXISTING ZONING	PD 15-45
PROPOSED ZONING	PD 16-16 (TRACT 1A)



AGRICULTURAL DISTRICT		ACREAGE	
TRACT	LAND USE PROPOSED - PLANNED DEVELOPMENT ZONING	GROSS	NET*
1A	SINGLE-FAMILY RESIDENTIAL	58.354	49.548
1B	SINGLE-FAMILY RESIDENTIAL	31.852	0.000
2	MULTI-FAMILY RESIDENTIAL	17.892	14.451
3	MULTI-FAMILY RESIDENTIAL	11.905	10.566
4	MULTI-FAMILY RESIDENTIAL FOR ACTIVE ADULT, INDEPENDENT LIVING	8.129	5.561
5	COMMUNITY RETAIL	13.521	1.650

* NET ACREAGE = REMOVAL OF FLOODWAY AND 100 YEAR FLOOD PLAIN
FLOOD DATA SOURCE: FEMA FIRM PANEL: 48113C02010L DATE: 07-07-2014

EXHIBIT "C" - AMENDED CONCEPT PLAN
OF
THE WOODLANDS ON SPRING CREEK - TRACT 1A
58.35 ACRES / 191 LOTS / 7 HOA LOTS
OUT OF THE
ONEFRE ALVARDO SURVEY ~ ABSTRACT NO. 2
IN THE
CITY OF GARLAND, DALLAS COUNTY, TEXAS

ENGINEER:

JACOBS®

1999 BRYAN STREET, SUITE 1200
DALLAS, TX 75201-3136
PHONE 214-638-0145
FAX 214-638-0447
CONTACT: JAI SON STEPHEN, P.E.
Jacobs Engineering Group Inc.
Texas Registration F-2966
Jaision.Stephen@jacobs.com

SURVEYOR: _____
DATA LAND SERVICES
REGISTERED PROFESSIONAL LAND SURVEYING
P.O. BOX 2110
FORNEY, TEXAS 75126
CONTACT: WILLIAM DAVIS FINNEY, R.P.L.S.

CASE NO. 160310-2

JUNE 30, 2016 SCALE: 1" = 200' SHEET 1 OF 1

PHASE 1															
BLOCK A		BLOCK A		BLOCK A		BLOCK A		BLOCK D		BLOCK E		BLOCK F		HOA LOTS	
LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA
1	5500	14	5716	27	11961	40	5498	1	7320	1	7147	1	6492	X1P1	9993
2	5500	15	9127	28	12115	41	5672	2	5500	2	6160	2	5500	X2P1	3862
3	5500	16	8595	29	7466	42	5759	3	5500	3	6160	3	5500	X3P1	89747
4	5500	17	5965	30	5802	43	5846	4	5500	4	6365	4	5500	X6P1	95902
5	5500	18	6248	31	5802	44	5845	5	5500	5	6774	5	7536		
6	5500	19	6746	32	6201	45	7926	6	5500	6	10397	6	7483		
7	5500	20	7937	33	6234	46	9458	7	6914	7	11851	7	7022		
8	6009	21	7427	34	5507	47	7419	8	5987	8	7922	8	7280		
9	10767	22	6337	35	6490	48	6055	9	5679	9	6601	9	6901		
10	7840	23	5923	36	6341	49	6764	10	7260	10	6205	10	5986		
11	6026	24	5730	37	6315	50	6137	11	7894	11	7148	11	6343		
12	5509	25	5793	38	8459	51	5500	12	6784						
13	5513	26	9035	39	6819			13	7158						

MATCH LINE – SHEET 2

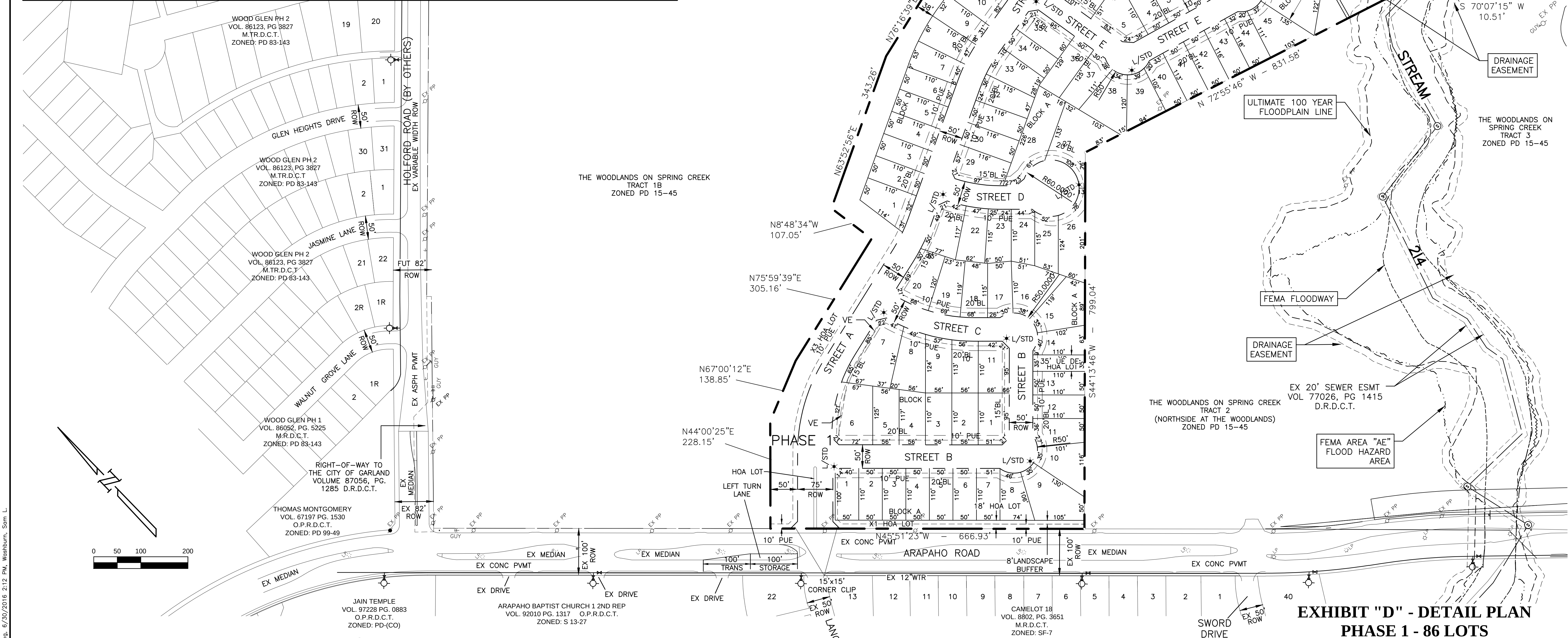


EXHIBIT "D" - DETAIL PLAN
PHASE 1 - 86 LOTS

OF
THE WOODLANDS ON SPRING CREEK - TRACT 1A
58.35 ACRES / 191 LOTS / 7 HOA LOTS
OUT OF THE
ONEFRE ALVARDO SURVEY ~ ABSTRACT NO. 2
IN THE
CITY OF GARLAND, DALLAS COUNTY, TEXAS

DEVELOPER:
THE WOODLANDS ON SPRING CREEK, LP
14114 NORTH DALLAS AVENUE
SUITE 265
DALLAS, TEXAS 75254
CONTACT: MICHAEL HOLIGAN
214-597-3569

OWNER:
ALTHEC PROPERTIES, LTD.
914 SOUTH GARLAND AVENUE
GARLAND, TEXAS 75040
CONTACT: THOMAS CHAMBERS
214-676-4635

ENGINEER:
JACOBS
1999 BRYAN STREET, SUITE 1200
DALLAS, TX 75201-3136
PHONE 214-638-0145
FAX 214-638-0447
CONTACT: JAISON STEPHEN, P.E.
Jacobs Engineering Group Inc.
Texas Registration F-2966
Jaison.Stephens@jacobs.com

SURVEYOR:
DATA LAND SERVICES
REGISTERED PROFESSIONAL LAND SURVEYING
P.O. BOX 2110
FORNEY, TEXAS 75126
CONTACT: WILLIAM DAVIS FINNEY, R.P.L.S.

CASE NO. 160310-2
PROPOSED ZONING PD 16-16

BENCHMARKS:
GPS 112 2" BRASS DISK STAMPED 112, LOCATED ON INLET TOP @ N CORNER OF INTERSECTION OF HOLFORD RD & ARAPAHO RD APPROX 86' NW OF HOLFORD RD & APPROX 17' NE OF ARAPAHO RD WEST BOUND Q.
ELEVATION = 564.78

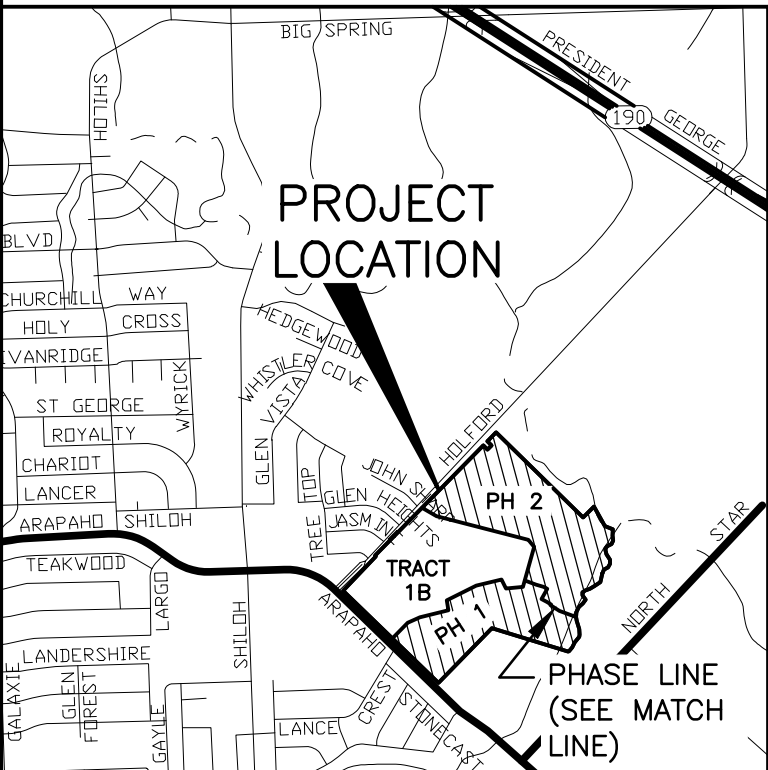
GPS 115 2" BRASS DISK STAMPED 115 IS LOCATED ON INLET TOP @ INTERSECTION OF N GARLAND AVE & NAAMAN FOREST BLVD APPROX 44' SE OF N GARLAND AVE & APPROX 71' NE OF NAAMAN FOREST BLVD Q OF N-BOUND LANE.
ELEVATION = 543.36

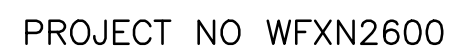
PD ZONING REQUIREMENTS (TYPICAL)
FRONT YARD SETBACK20 FEET
SIDE YARD SETBACK5 FEET
EXCEPT ADJACENT TO SIDE STREET15 FEET
REAR YARD SETBACK10 FEET
EXCEPT ADJACENT TO SIDE STREET15 FEET

LEGEND

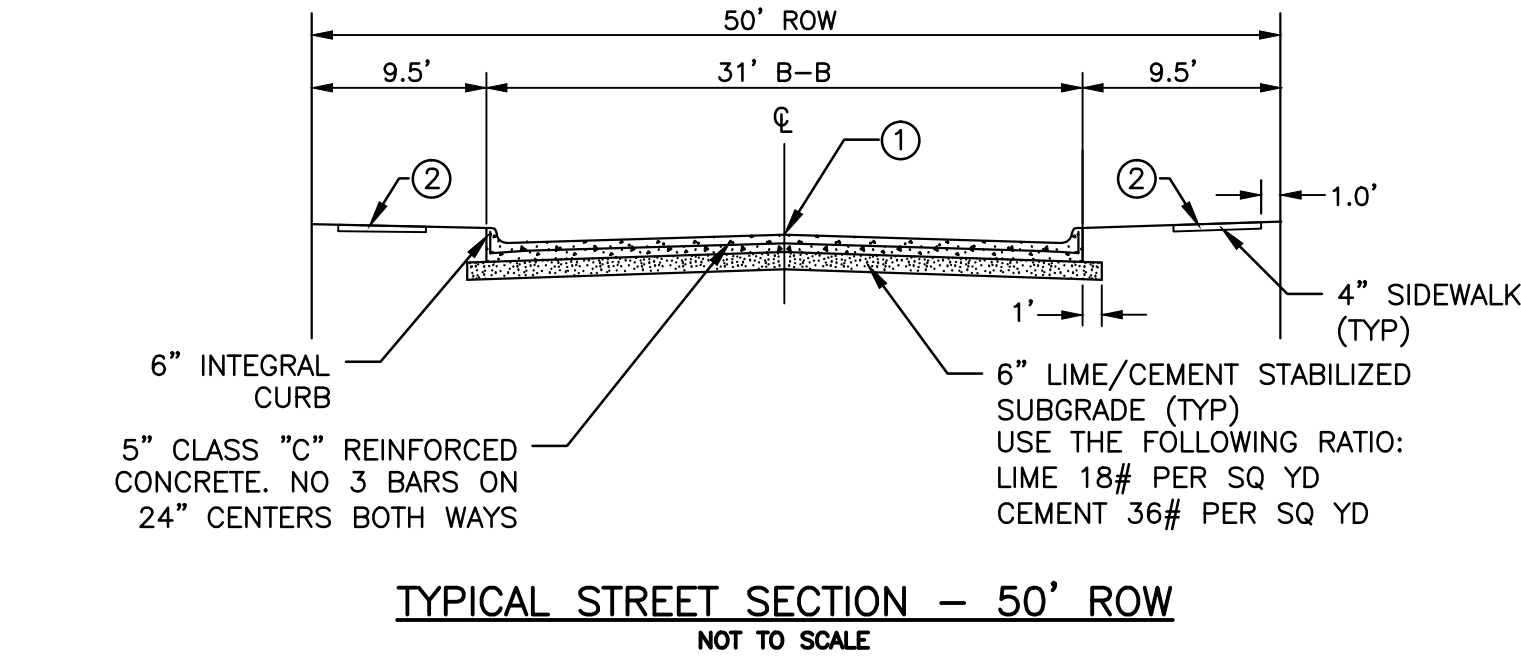
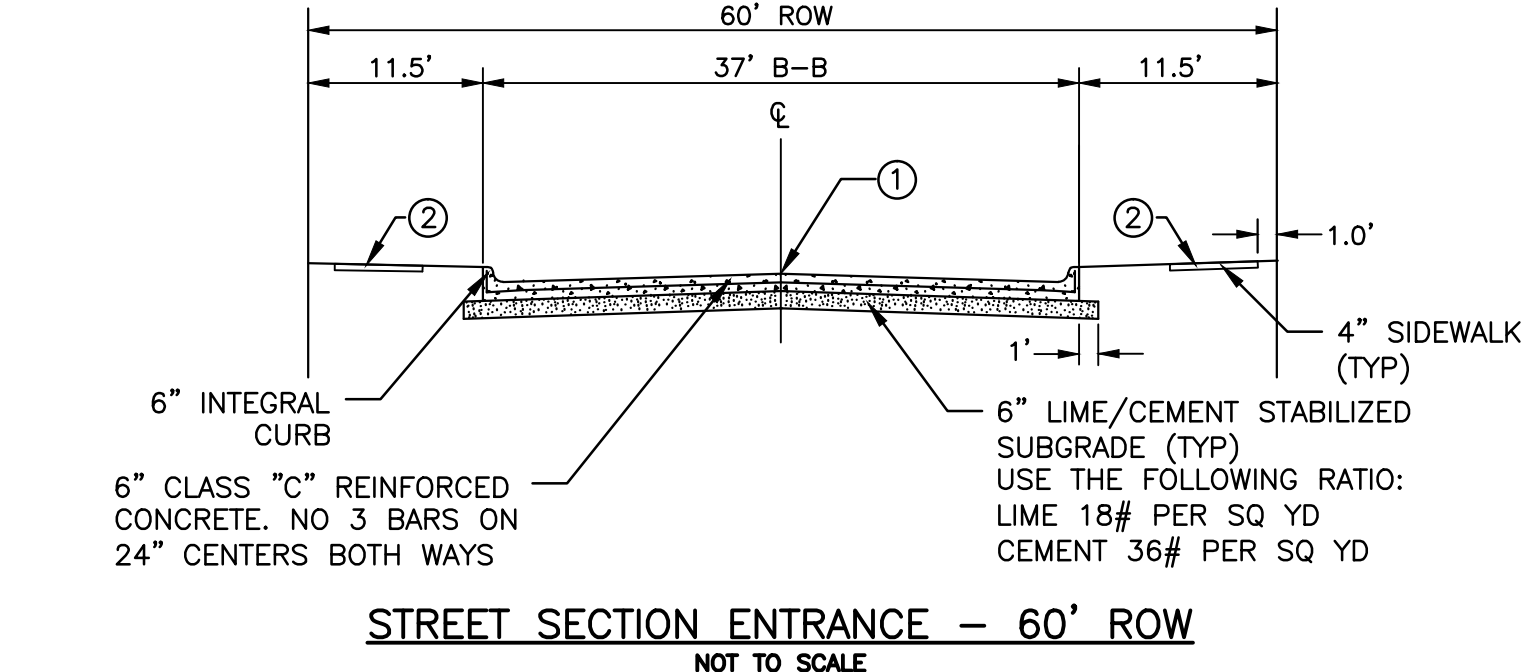
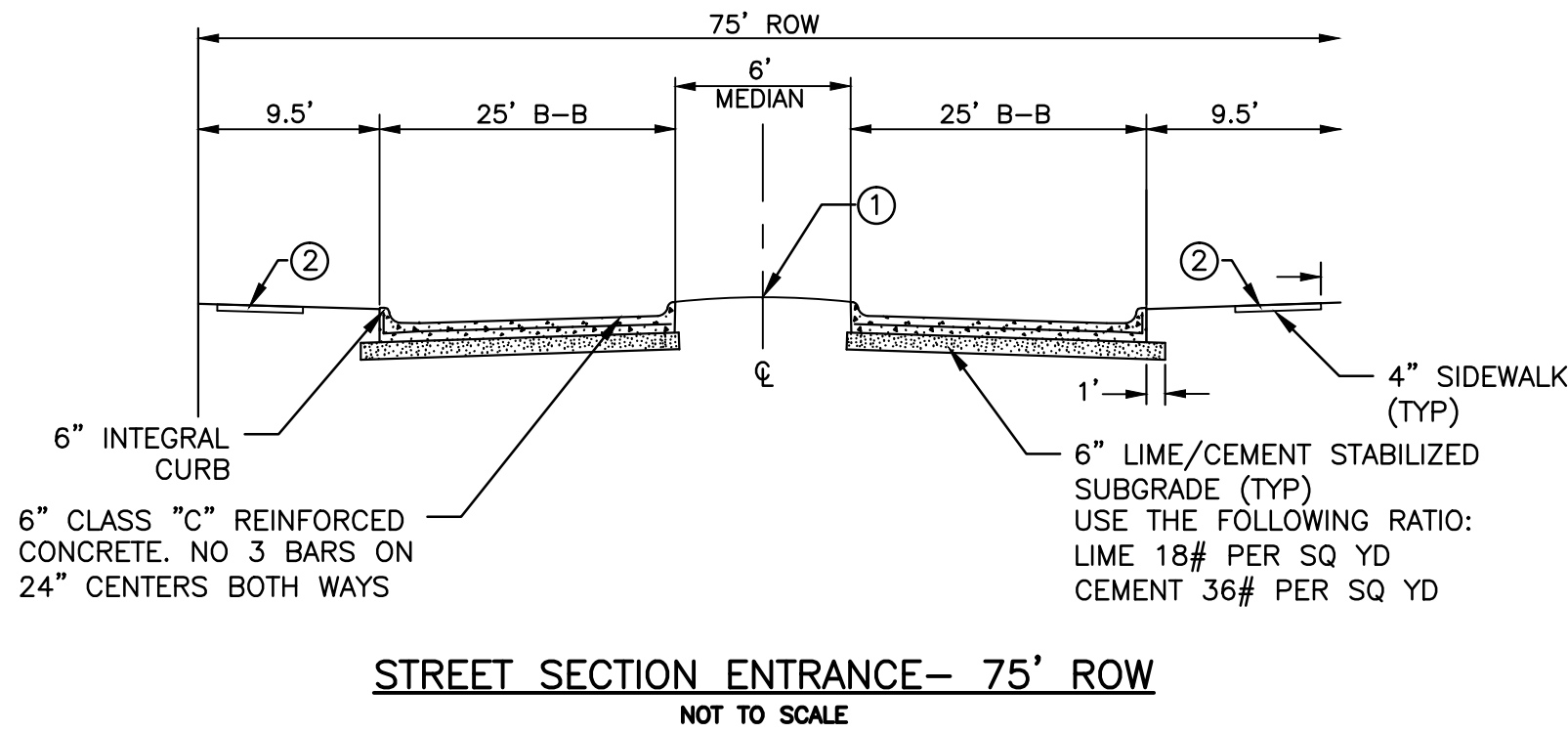
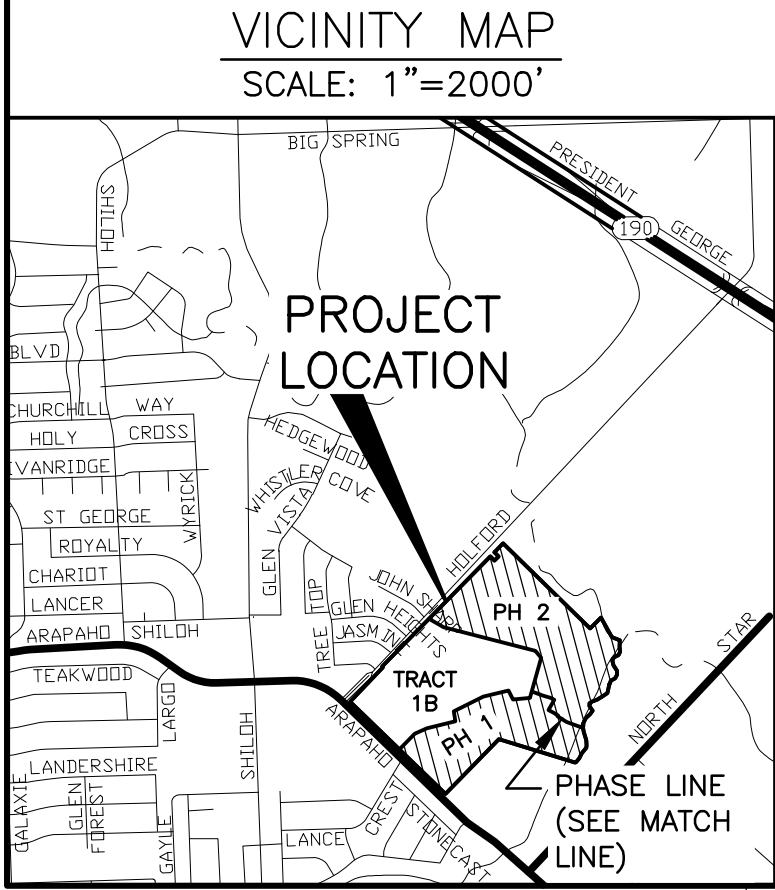
- * L/STD LIGHT POLE STANDARD (TO BE LOCATED IN PUE)
- ☆ LP EX LIGHT POLE
- PP EX POWER POLE
- ESMT EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- VE VISIBILITY EASEMENT (SIGHT LINE TRIANGLE)
- ROW RIGHT-OF-WAY
- MIN FF MINIMUM FINISH FLOOR ELEVATION
- BL BUILDING LINE SETBACK
- DRNG ESMT DRAINAGE EASEMENT
- UTIL ESMT UTILITY EASEMENT
- PROPOSED FEMA MAP REVISION
- EROSION HAZARD AREA

VICINITY MAP
SCALE: 1"=2000'





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- ① INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
- ② SIDEWALK CROSS-SLOPE 1% MAX
- ALL REINFORCEMENT SHALL BE #3 BARS ON 24" CENTERS BOTH WAYS, EXCEPT WHERE NOTED
- PAVEMENT SHALL BE CLASS "C" CONCRETE
- PUBLIC RIGHT-OF-WAY, EASEMENT, AND COMMON AREAS MUST BE STABILIZED WITH PERENNIAL VEGETATION COVER, FULLY ESTABLISHED WITH 100 COVERAGE, OR OTHER APPROVED STABILIZATION METHOD

LEGAL DESCRIPTION

BEING ALL THAT CERTAIN TRACT OF PARCEL OF LAND AS SITUATED IN THE ONEFRE ALVARADO SURVEY, ABSTRACT NO. 2, GARLAND, DALLAS COUNTY, TEXAS, AND BEING PART OF TRACT NO.1, TRACT NO. 2 AND TRACT NO. 3 IN DEED TO ALTHEC PARTNERSHIP, LTD. AS RECORDED IN VOLUME 2002049, PAGE 2378, DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT A 1/2" IRON ROD FOUND AT THE INTERSECTION OF ARAPHO ROAD (A 100' RIGHT-OF-WAY) AND HOLFORD ROAD (A VARIABLE WIDTH RIGHT-OF-WAY) SAID CORNER BEING AT THE NORTHWEST CORNER OF ALTHEC PARTNERSHIP TRACT;

THENCE NORTH 43 DEGREES 31 MINUTES 53 SECONDS EAST, WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOLFORD ROAD A DISTANCE OF 491.96 FEET TO A 1/2" IRON ROD FOUND FOR A ELL CORNER OF SAID ALTHEC TRACT;

THENCE NORTH 45 DEGREES 30 MINUTES 51 SECONDS WEST, WITH THE WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOLFORD ROAD A DISTANCE OF 10.00 FEET TO A 1/2" IRON ROD FOUND FOR ELL CORNER OF SAID TRACT AND RIGHT-OF-WAY;

THENCE NORTH 44 DEGREES 29 MINUTES 09 SECONDS EAST, WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOLFORD ROAD AND THE NORTHEASTERLY LINE OF ALTHEC TRACTS A DISTANCE OF 698.56 FEET TO A POINT FOR CORNER FOR THE POINT OF BEGINNING;

THENCE NORTH 44 DEGREES 29 MINUTES 09 SECONDS EAST, WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOLFORD ROAD AND THE NORTHEASTERLY LINE OF ALTHEC TRACTS A DISTANCE OF 911.33 FEET TO A 1/2" IRON ROD FOUND FOR ELL CORNER OF TRACT FROM WHICH A 5/8" IRON ROD WITH YELLOW CAP FOUND FOR THE WEST CORNER OF LOT 1, BLOCK 1 OF METROCELL ADDITION AN ADDITION TO THE CITY OF GARLAND AS RECORDED IN VOLUME 92126, PAGE 1797 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS; BEARS, SOUTH 45 DEGREES 30 MINUTES 51 SECONDS EAST A DISTANCE OF 2.0 FEET;

THENCE SOUTH 45 DEGREES 30 MINUTES 51 SECONDS EAST, WITH THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 62.00 FEET TO A 3" CHAIN LINK FENCE POST FOUND FOR CORNER;

THENCE NORTH 44 DEGREES 21 MINUTES 26 SECONDS EAST, WITH THE SOUTHEASTERLY LINE OF SAID LOT 1, A DISTANCE OF 60.36 FEET TO A 5/8" IRON ROD WITH YELLOW CAP FOUND FOR CORNER;

THENCE NORTH 45 DEGREES 50 MINUTES 47 SECONDS WEST, WITH THE NORTHEASTERLY LINE OF SAID LOT 1, A DISTANCE OF 61.87 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AND BEING IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOLFORD ROAD;

THENCE NORTH 44 DEGREES 29 MINUTES 09 SECONDS EAST, WITH THE NORTHWESTERLY LINE OF ALTHEC TRACT A DISTANCE OF 129.00 FEET TO A WEST CORNER OF A TRACT OF LAND AS CONVEYED TO THE COUNTY OF DALLAS AS RECORDED IN VOLUME 88222, PAGE 817 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS A 1/2" IRON ROD FOUND FOR CORNER FROM WHICH A 5/8" IRON ROD FOUND BEARS N 30 DEGREES 59 MINUTES 58 SECONDS WEST, A DISTANCE OF 0.89 FEET;

THENCE SOUTH 45 DEGREES 38 MINUTES 41 SECONDS EAST, WITH THE NORTHEASTERLY LINE OF ALTHEC TRACT AND A SOUTHWESTERLY LINE OF COUNTY OF DALLAS TRACT A DISTANCE OF 1268.23 FEET TO A POINT FOR CORNER SAID CORNER BEING AT THE SOUTH CORNER OF SAID COUNTY OF DALLAS TRACT FROM WHICH A 5/8" IRON ROD FOUND FOR THE NORTH CORNER OF STONELEIGH OF SPRING CREEK, NO. 2 AN ADDITION TO THE CITY OF GARLAND IN VOLUME 2001185, PAGE 26 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS BEARS NORTH 44 DEGREES 33 MINUTES 16 SECONDS EAST, A DISTANCE OF 1810.76 FEET;

THENCE NORTH 44 DEGREES 33 MINUTES 16 SECONDS EAST, WITH A SOUTHEASTERLY LINE OF COUNTY OF DALLAS TRACT A DISTANCE OF 162.00 FEET TO A POINT FOR CORNER IN THE MIDDLE OF CREEK SAID CORNER BEING AT A SOUTHWESTERLY CORNER OF CALLED 3.443 ACRES DEDICATED TO THE CITY OF GARLAND FOR PARK, DRAINAGE AND UTILITY PURPOSES PER SAID STONELEIGH ON SPRING CREEK, NO.2 ADDITION;

THENCE THE FOLLOWING 2 CALLS WITH THE MIDDLE OF SAID CREEK AND WITH THE NORTHEASTERLY LINE OF ALTHEC TRACT AND THE SOUTHWESTERLY LINE OF STONELEIGH ON SPRING CREEK NO. 2 ADDITION;

- SOUTH 29 DEGREES 16 MINUTES 11 SECONDS EAST, A DISTANCE OF 233.40 FEET;
- SOUTH 67 DEGREES 54 MINUTES 11 SECONDS EAST, A DISTANCE OF 89.00 FEET;

THENCE ACROSS ALTHEC PARTNERSHIP TRACT AND NEAR THE CENTER LINE OF CREEK THE FOLLOWING 31 CALLS TO A POINT FOR CORNER;

- SOUTH 01 DEGREES 44 MINUTES 57 SECONDS WEST, A DISTANCE OF 67.22 FEET;
- SOUTH 05 DEGREES 28 MINUTES 31 SECONDS EAST, A DISTANCE OF 48.87 FEET;
- SOUTH 24 DEGREES 27 MINUTES 01 SECONDS WEST, A DISTANCE OF 40.26 FEET;
- SOUTH 62 DEGREES 06 MINUTES 22 SECONDS WEST, A DISTANCE OF 51.28 FEET;
- SOUTH 34 DEGREES 50 MINUTES 08 SECONDS WEST, A DISTANCE OF 37.35 FEET;
- SOUTH 14 DEGREES 23 MINUTES 23 SECONDS EAST, A DISTANCE OF 53.66 FEET;
- SOUTH 31 DEGREES 32 MINUTES 22 SECONDS EAST, A DISTANCE OF 68.81 FEET;
- SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 41.32 FEET;
- SOUTH 27 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 43.52 FEET;
- SOUTH 62 DEGREES 01 MINUTES 28 SECONDS WEST, A DISTANCE OF 48.30 FEET;
- SOUTH 21 DEGREES 36 MINUTES 06 SECONDS WEST, A DISTANCE OF 34.40 FEET;
- SOUTH 14 DEGREES 02 MINUTES 31 SECONDS WEST, A DISTANCE OF 101.66 FEET;
- SOUTH 55 DEGREES 06 MINUTES 09 SECONDS WEST, A DISTANCE OF 69.89 FEET;
- SOUTH 60 DEGREES 34 MINUTES 43 SECONDS WEST, A DISTANCE OF 59.69 FEET;
- SOUTH 70 DEGREES 33 MINUTES 54 SECONDS WEST, A DISTANCE OF 48.07 FEET;
- SOUTH 55 DEGREES 10 MINUTES 30 SECONDS WEST, A DISTANCE OF 37.34 FEET;
- SOUTH 02 DEGREES 35 MINUTES 46 SECONDS EAST, A DISTANCE OF 29.35 FEET;
- SOUTH 32 DEGREES 34 MINUTES 41 SECONDS EAST, A DISTANCE OF 56.94 FEET;
- SOUTH 36 DEGREES 15 MINUTES 46 SECONDS WEST, A DISTANCE OF 49.59 FEET;
- SOUTH 51 DEGREES 20 MINUTES 41 SECONDS WEST, A DISTANCE OF 34.14 FEET;
- SOUTH 42 DEGREES 42 MINUTES 37 SECONDS WEST, A DISTANCE OF 23.58 FEET;
- SOUTH 25 DEGREES 21 MINUTES 07 SECONDS WEST, A DISTANCE OF 56.04 FEET;
- SOUTH 04 DEGREES 45 MINUTES 52 SECONDS WEST, A DISTANCE OF 48.15 FEET;
- SOUTH 13 DEGREES 02 MINUTES 12 SECONDS EAST, A DISTANCE OF 86.97 FEET;
- SOUTH 19 DEGREES 45 MINUTES 09 SECONDS EAST, A DISTANCE OF 44.50 FEET;
- SOUTH 02 DEGREES 40 MINUTES 00 SECONDS EAST, A DISTANCE OF 57.38 FEET;
- SOUTH 03 DEGREES 11 MINUTES 06 SECONDS WEST, A DISTANCE OF 24.03 FEET;
- SOUTH 39 DEGREES 48 MINUTES 49 SECONDS WEST, A DISTANCE OF 72.87 FEET;
- SOUTH 26 DEGREES 00 MINUTES 26 SECONDS WEST, A DISTANCE OF 60.80 FEET;
- SOUTH 40 DEGREES 46 MINUTES 14 SECONDS WEST, A DISTANCE OF 51.04 FEET;
- SOUTH 70 DEGREES 07 MINUTES 15 SECONDS WEST, A DISTANCE OF 10.51 FEET;

THENCE NORTH 72 DEGREES 55 MINUTES 46 WEST, ACROSS ALTHEC PARTNERSHIP TRACT A DISTANCE OF 831.58 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE SOUTH 44 DEGREES 13 MINUTES 46 WEST, ACROSS ALTHEC PARTNERSHIP TRACT A DISTANCE OF 799.04 FEET TO A 1/2" IRON ROD FOUND FOR CORNER SAID CORNER BEING IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ARAPHO ROAD;

THENCE NORTH 45 DEGREES 51 MINUTES 23 SECONDS WEST, WITH THE SAID RIGHT-OF-WAY OF ARAPHO ROAD A DISTANCE OF 666.93 FEET TO A POINT FOR CORNER; THENCE ACROSS ALTHEC PARTNERSHIP TRACT THE FOLLOWING 12 CALLS TO A POINT FOR CORNER;

- NORTH 44 DEGREES 00 MINUTES 25 SECONDS EAST, A DISTANCE OF 228.15 FEET;
- NORTH 67 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 138.85 FEET;
- NORTH 75 DEGREES 59 MINUTES 39 SECONDS EAST, A DISTANCE OF 305.16 FEET;
- NORTH 08 DEGREES 48 MINUTES 34 SECONDS WEST, A DISTANCE OF 107.05 FEET;
- NORTH 63 DEGREES 52 MINUTES 56 SECONDS EAST, A DISTANCE OF 343.26 FEET;
- NORTH 76 DEGREES 16 MINUTES 39 SECONDS EAST, A DISTANCE OF 270.29 FEET;
- SOUTH 25 DEGREES 52 MINUTES 08 SECONDS EAST, A DISTANCE OF 102.75 FEET;
- NORTH 85 DEGREES 22 MINUTES 15 SECONDS EAST, A DISTANCE OF 177.92 FEET;
- NORTH 15 DEGREES 45 MINUTES 31 SECONDS EAST, A DISTANCE OF 434.60 FEET;
- NORTH 39 DEGREES 45 MINUTES 11 SECONDS WEST, A DISTANCE OF 97.03 FEET;
- NORTH 75 DEGREES 30 MINUTES 51 SECONDS WEST, A DISTANCE OF 985.72 FEET;
- NORTH 60 DEGREES 42 MINUTES 24 SECONDS WEST, A DISTANCE OF 174.95 FEET TO THE POINT OF BEGINNING CONTAINING 2,541,909 SQUARE FEET OR 58.354 ACRES OF LAND.

DEVELOPER:

THE WOODLANDS ON SPRING CREEK, LP
14114 NORTH DALLAS PARKWAY,
SUITE 265
DALLAS, TEXAS 75254
CONTACT: MICHAEL HOLIGAN
214-597-3569

CASE NO. 160310-2
PROPOSED ZONING PD 16-16

GENERAL NOTES:

- PHASING SHOWN IS PRELIMINARY AND WILL BE FINALIZED AT THE TIME OF PRELIMINARY PLAT AND CONSTRUCTION PLAN DESIGN. EACH PHASE SHALL EXIST AS A STABLE, INDEPENDENT UNIT CONSISTENT WITH THE GARLAND DEVELOPMENT CODE REQUIREMENTS FOR PROVIDING SAFE ACCESS AND CITY SERVICES.
- THIS PROPERTY IS AFFECTED BY THE 100-YEAR FLOODPLAIN PER FEMA MAP NUMBER 48113C0210L DATED JULY 7, 2014.
- THE ULTIMATE 100-YEAR FLOODPLAIN ALONG THE TRIBUTARIES IS FROM THE FLOOD STUDY BY JACOBS DATED OCTOBER 2015. SPRING CREEK FLOODPLAIN IS PER 1988 HALFF REPORT.
- THE HOMEOWNER'S ASSOCIATION (HOA) SHALL MAINTAIN ALL HOA LOTS AND ACCESS/DRAINAGE EASEMENTS IN THE CREEK AREAS.
- THE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT IS PROPOSED TO HAVE NO ALLEYS.
- DETENTION WILL NOT BE REQUIRED.
- STREETS INTERIOR TO THE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT ARE PROPOSED TO HAVE STANDARD 6-INCH CURBS.
- SIDEWALKS ARE REQUIRED ALONG STREETS. THE DEVELOPER WILL CONSTRUCT SIDEWALKS ADJACENT TO HOA MAINTAINED AREAS. THE BUILDER WITH CONSTRUCT SIDEWALKS ADJACENT TO RESIDENTIAL LOTS AT THE TIME OF HOME CONSTRUCTION.
- REFER TO THE PLANNED DEVELOPMENT ZONING DOCUMENT SUBMITTED WITH THIS DETAIL PLAN FOR DEVELOPMENT REGULATIONS ASSOCIATED WITH THIS TRACT.
- LOCAL / LOCAL INTERSECTIONS SHALL HAVE 15' X 15' RIGHT-OF-WAY CORNER CLIPS.
- EACH SINGLE-FAMILY RESIDENTIAL LOT SHALL HAVE A 2 CAR GARAGE AND 2 OFF STREET PARKING SPACES.
- RESIDENTIAL PAVEMENT CURB RETURN RADII SHALL BE 25 FEET (TYPICAL).
- EXISTING POWER POLES AND LIGHT POLES WILL BE RELOCATED AS REQUIRED WITH CONSTRUCTION PLAN DESIGN BY DEVELOPER.
- EXISTING GIS TOPOGRAPHIC INFORMATION IS PROVIDED BY TEXAS NATURAL RESOURCES INFORMATION SYSTEM (TNRIS) DATED 2009.
- 6-FOOT SIDEWALKS ARE REQUIRED ALONG ARAPAHO ROAD AND HOLFORD ROAD.
- HOLFORD ROAD WILL BE CONSTRUCTED IN THE FUTURE BY OTHERS. THE DEVELOPER WILL ENTER INTO AN AGREEMENT WITH THE CITY TO ESCROW FUNDS FOR THE CONSTRUCTION COST OF ONE-HALF OF THE ROAD IMPROVEMENTS ADJACENT TO THEIR PROPERTY, NOT TO EXCEED THE DEVELOPERS PROPORTIONAL SHARE, AT THE TIME OF THE PRELIMINARY PLAT OF PHASE 2 THAT INCLUDES RIGHT OF WAY DEDICATION AND FRONTAGE ALONG HOLFORD ROAD.

EXHIBIT "D" - DETAIL PLAN

OF

THE WOODLANDS ON SPRING CREEK - TRACT 1A

58.35 ACRES / 191 LOTS / 7 HOA LOTS

OUT OF THE

ONEFRE ALVARDO SURVEY ~ ABSTRACT NO. 2

IN THE

CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER:

ALTHEC PROPERTIES, LTD.
914 SOUTH GARLAND AVENUE
GARLAND, TEXAS 75040
CONTACT: THOMAS CHAMBERS
214-676-4635

ENGINEER:

JACOBS
1999 BRYAN STREET, SUITE 1200
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PHONE 214-638-0145
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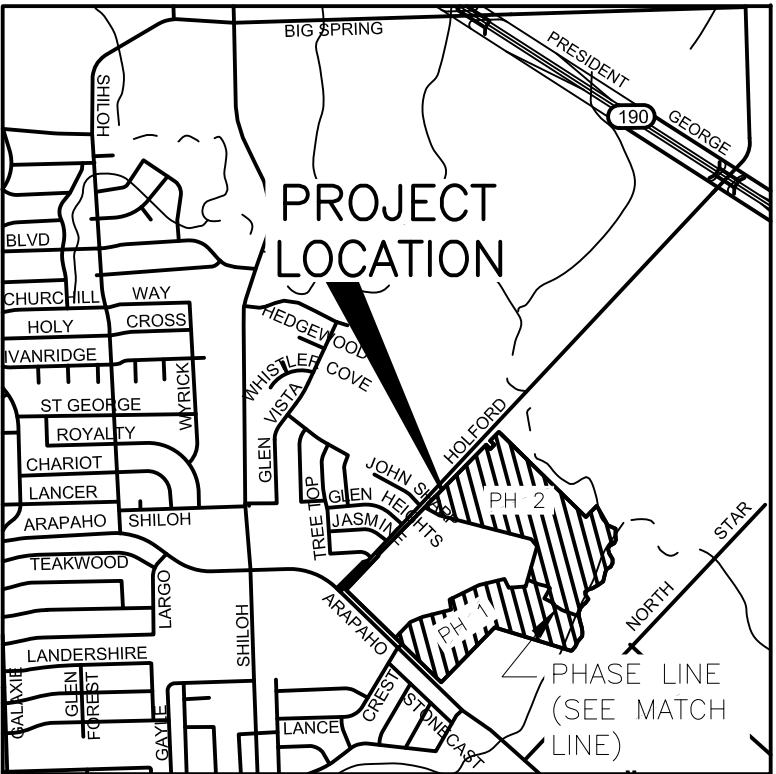
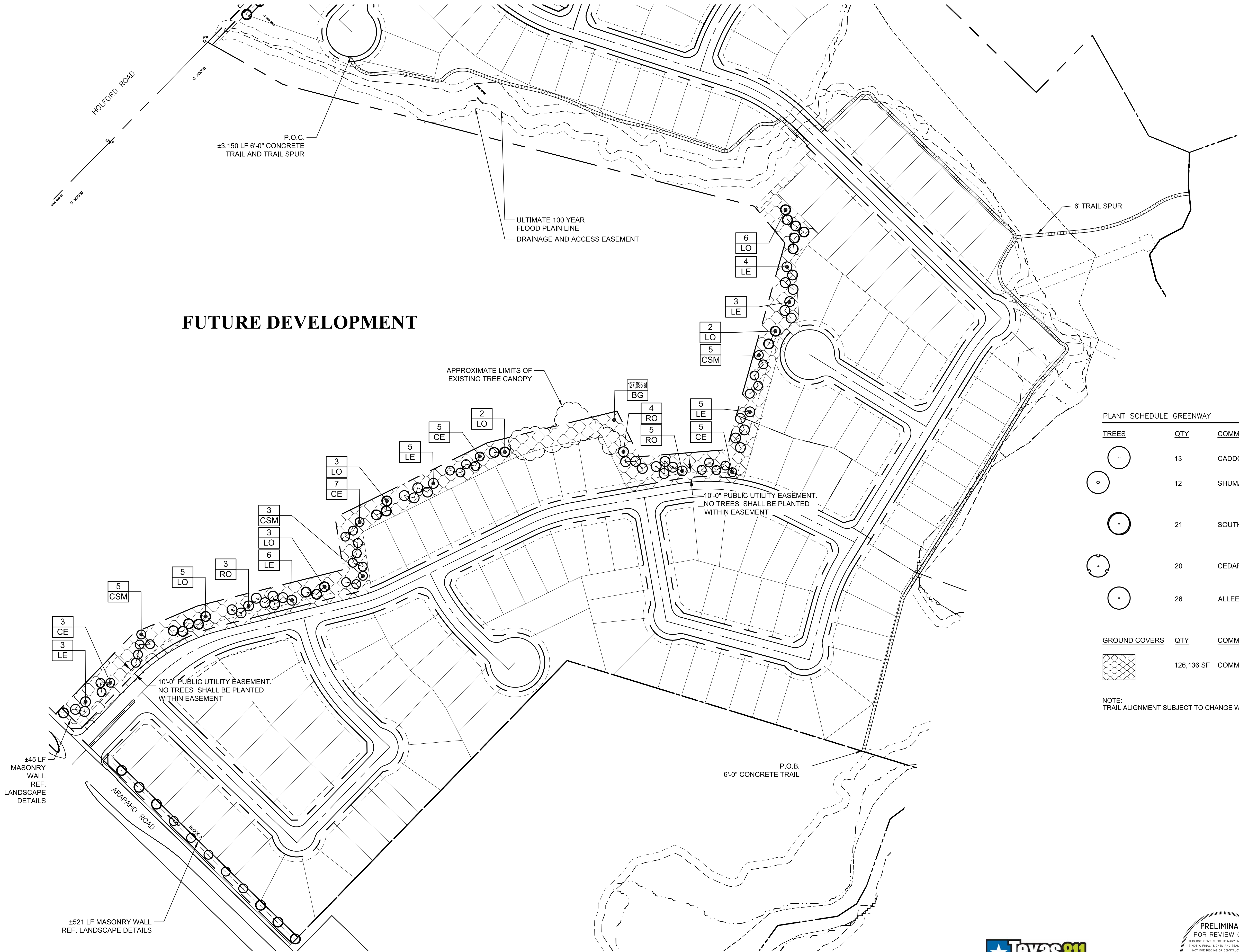
SURVEYOR:

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CONTACT: WILLIAM DAVIS FINNEY, R.P.L.S.

JUNE 30, 2016

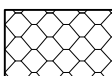
SCALE: 1" = 100'

SHEET 3 OF 3



VICINITY MAP
SCALE: 1"=2000'

- PLANTING NOTES
1. ALL PLANT MATERIAL LOCATIONS SHALL BE STAKED IN FIELD BY THE CONTRACTOR AND APPROVED BY THE OWNER/ARCHITECT PRIOR TO INSTALLATION.
 2. FINE GRADING SHALL BE PERFORMED IN ALL AREAS TO BE SEEDDED. FINE GRADING SHALL INCLUDE THE REMOVAL OF DEBRIS, ROCKS, ETC. FROM THE SITES AND INSURE POSITIVE DRAINAGE IN ALL AREAS TO BE SEEDDED.
 3. THE CONTRACTOR SHALL VERIFY ALL BUILDING SETBACK LINES, EASEMENT LINES, AND VISIBILITY LINES IN THE FIELD PRIOR TO CONSTRUCTION.
 4. THE CONTRACTOR SHALL VERIFY LOCATIONS OF ALL UTILITIES IN THE FIELD PRIOR TO COMMENCEMENT OF WORK.
 5. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL SITE FEATURES.
 6. ALL DISTURBED AREAS SHALL BE SEEDDED.
 7. PLANTING PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE WITH FINAL DESIGN.

PLANT SCHEDULE GREENWAY							
TREES	QTY	COMMON NAME	CONT	CAL	SIZE	REMARKS	
	13	CADDO SUGAR MAPLE	65 GAL	3" CAL	12'-15' HT.		
	12	SHUMARD RED OAK	CONTAINER GROWN	3" CAL	12'-15' HT.	STRONG CENTRAL LEADER; EVENLY BRANCHED	
	21	SOUTHERN LIVE OAK	CONTAINER GROWN	3" CAL	12'-15' HT.	STRONG CENTRAL LEADER; EVENLY BRANCHED	
	20	CEDAR ELM	65 GAL	3" CAL	12'-15' HT.	MATCHING, FULL SINGLE LEADER	
	26	ALLEE LACEBARK ELM	CONTAINER GROWN	3" CAL	12'-15'	STRONG CENTRAL LEADER; EVENLY BRANCHED	
GROUND COVERS	QTY	COMMON NAME	CONT	HEIGHT	SPREAD	SPACING	REMARKS
	126,136 SF	COMMON BERMUDA GRASS	HYDROMULCH				STATE CERTIFIED SEED

NOTE:
TRAIL ALIGNMENT SUBJECT TO CHANGE WITH FINAL DESIGN

LANDSCAPE PLAN
OF
THE WOODLANDS ON SPRING CREEK - TRACT 1A
58.35 ACRES / 191 LOTS / 7 HOA LOTS
OUT OF THE
ONEFRE ALVARDO SURVEY ~ ABSTRACT NO. 2
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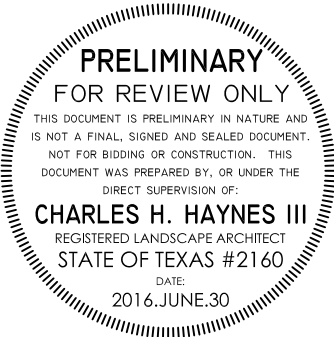
OWNER:
ALTHEC PROPERTIES, LTD.
914 SOUTH GARLAND AVENUE
GARLAND, TEXAS 75040
CONTACT: THOMAS CHAMBERS
214-676-4635

LANDSCAPE ARCHITECT
JACOBS
1999 BRYAN STREET, SUITE 1200
DALLAS, TX 75201-3136
PHONE 214-638-0145
FAX 214-638-0447
CONTACT: CHUCK HAYNES, P.L.A.
Jacobs Engineering Group Inc.
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Chuck.Haynes@jacobs.com

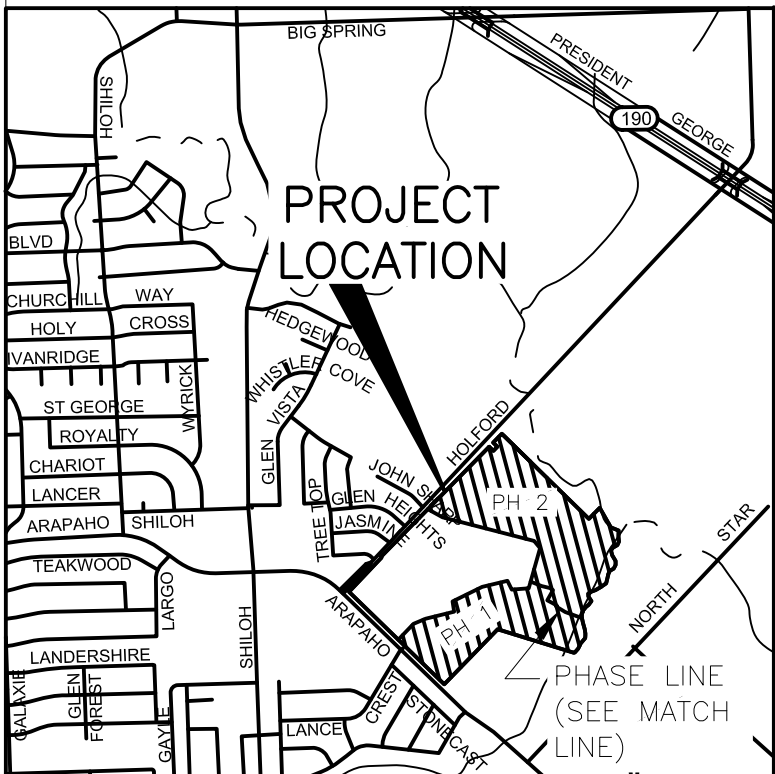
CASE NO. 160310-2



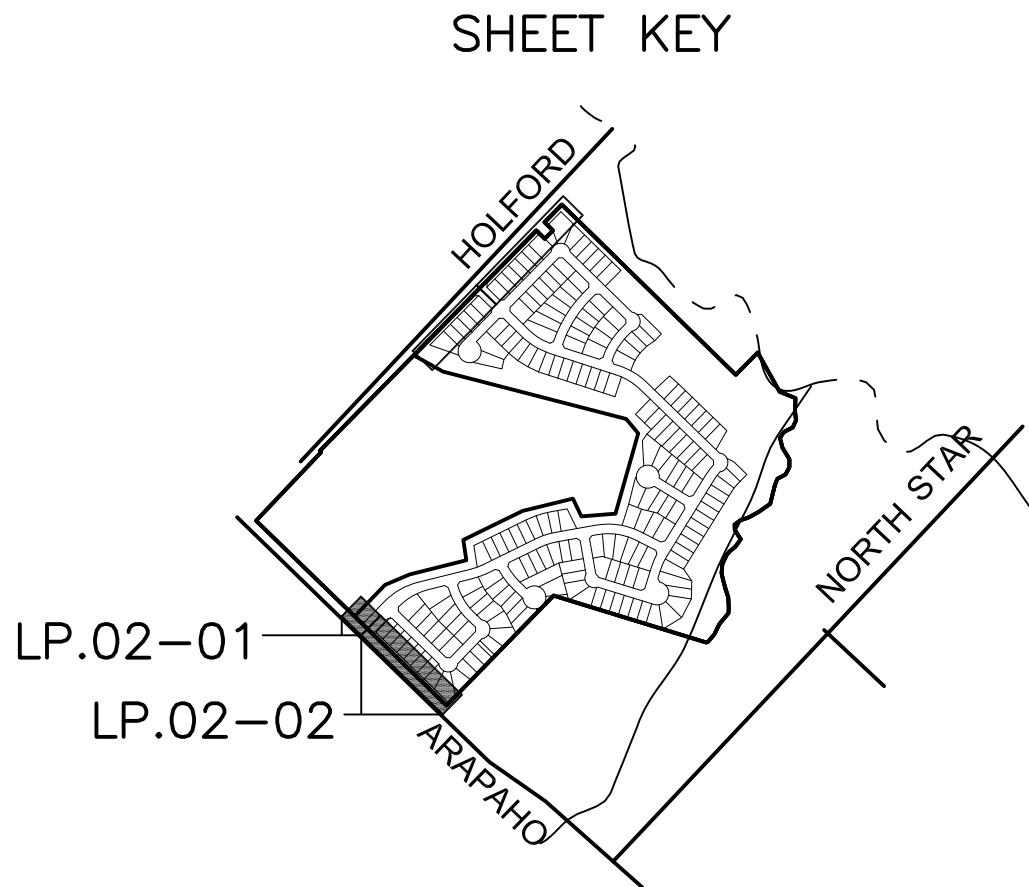
SCALE 1" = 100.0'



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VICINITY MAP
SCALE: 1"=2000'

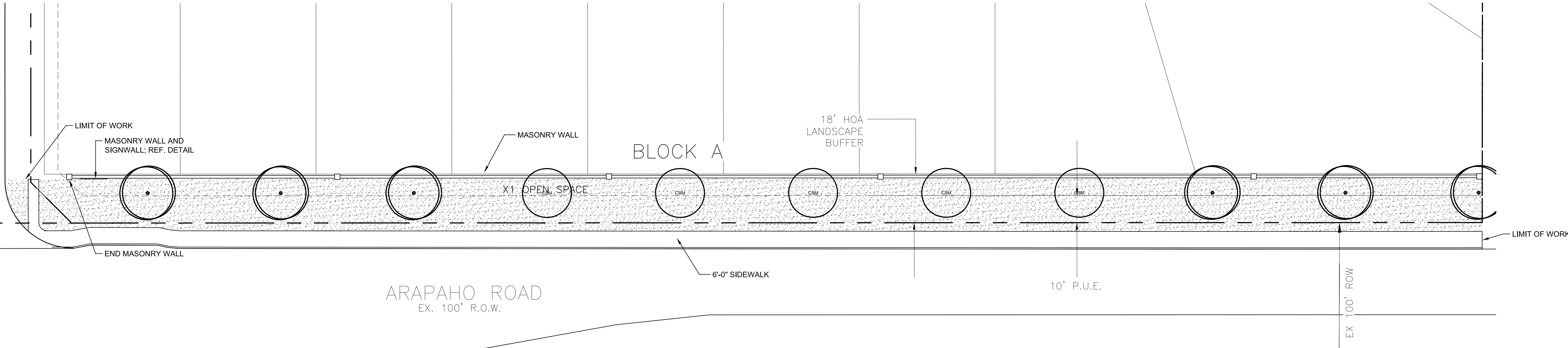


SHEET KEY

MATCHLINE: THIS SHEET - 01

STREET C

LANDSCAPE PLAN - 02

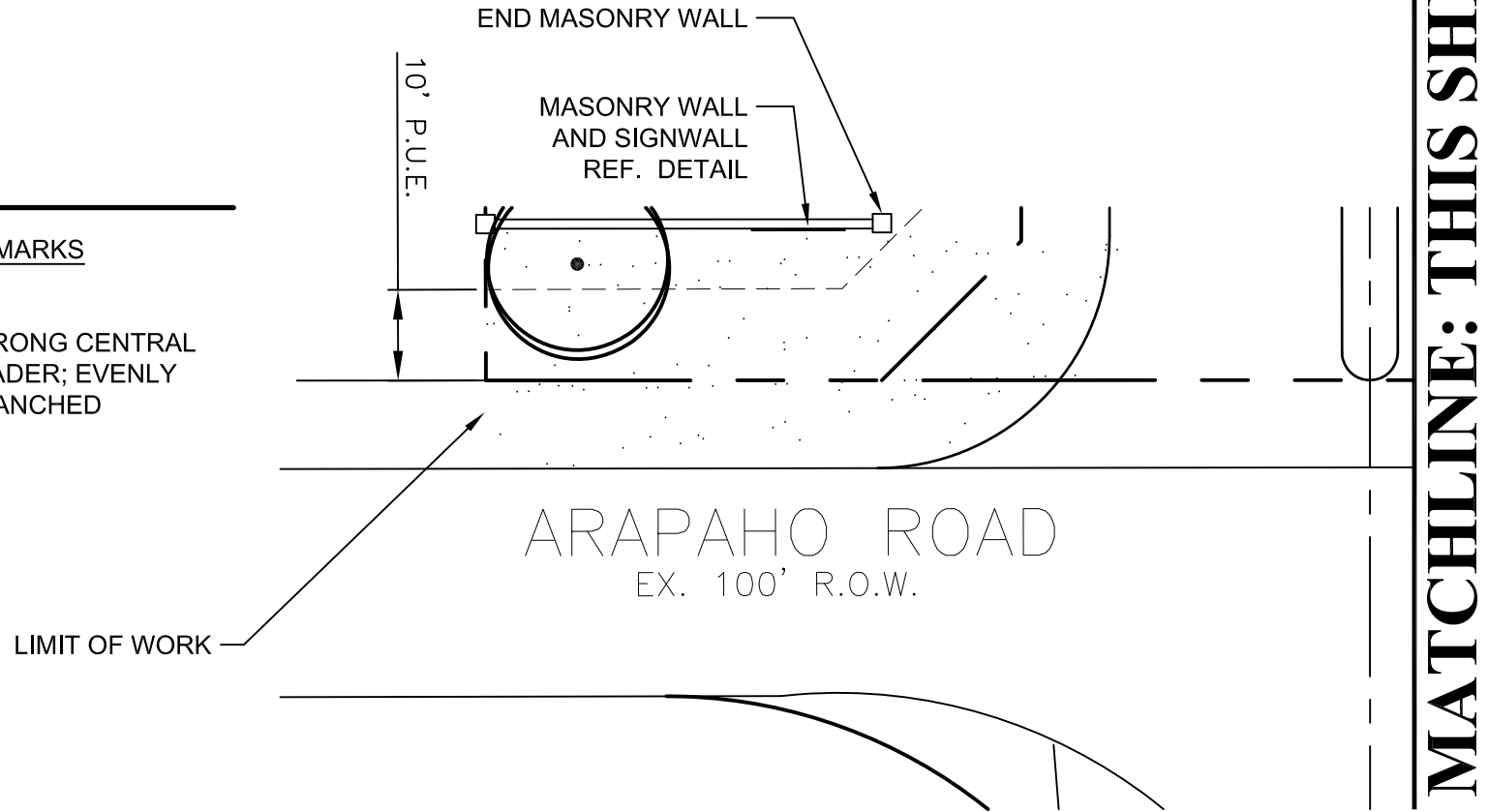


SCALE: 1" = 20.0'

PLANT SCHEDULE - 01

TREES	CODE	QTY	COMMON NAME	CONT	CAL	SIZE	REMARKS
	LO	1	SOUTHERN LIVE OAK	CONTAINER GROWN	3" CAL	12'-15' HT.	STRONG CENTRAL LEADER; EVENLY BRANCHED

GROUND COVERS	CODE	QTY	COMMON NAME	REMARKS
	SOD	1,642 SF	BERMUDA GRASS	



LANDSCAPE PLAN - 01

SCALE: 1" = 20.0'

PLANT SCHEDULE - 02

TREES	CODE	QTY	COMMON NAME	CONT	CAL	SIZE	REMARKS
	CSM	5	CADDO SUGAR MAPLE	65 GAL	3" CAL	12'-15' HT.	
	LO	6	SOUTHERN LIVE OAK	CONTAINER GROWN	3" CAL	12'-15' HT.	STRONG CENTRAL LEADER; EVENLY BRANCHED

GROUND COVERS	CODE	QTY	COMMON NAME	REMARKS
	SOD	10,501 SF	BERMUDA GRASS	

LANDSCAPE PLAN

OF
THE WOODLANDS ON SPRING CREEK - TRACT 1A
58.35 ACRES / 191 LOTS / 7 HOA LOTS
OUT OF THE
ONEFRE ALVARDO SURVEY ~ ABSTRACT NO. 2
IN THE
CITY OF GARLAND, DALLAS COUNTY, TEXAS

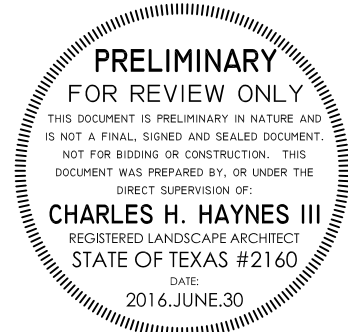
OWNER:

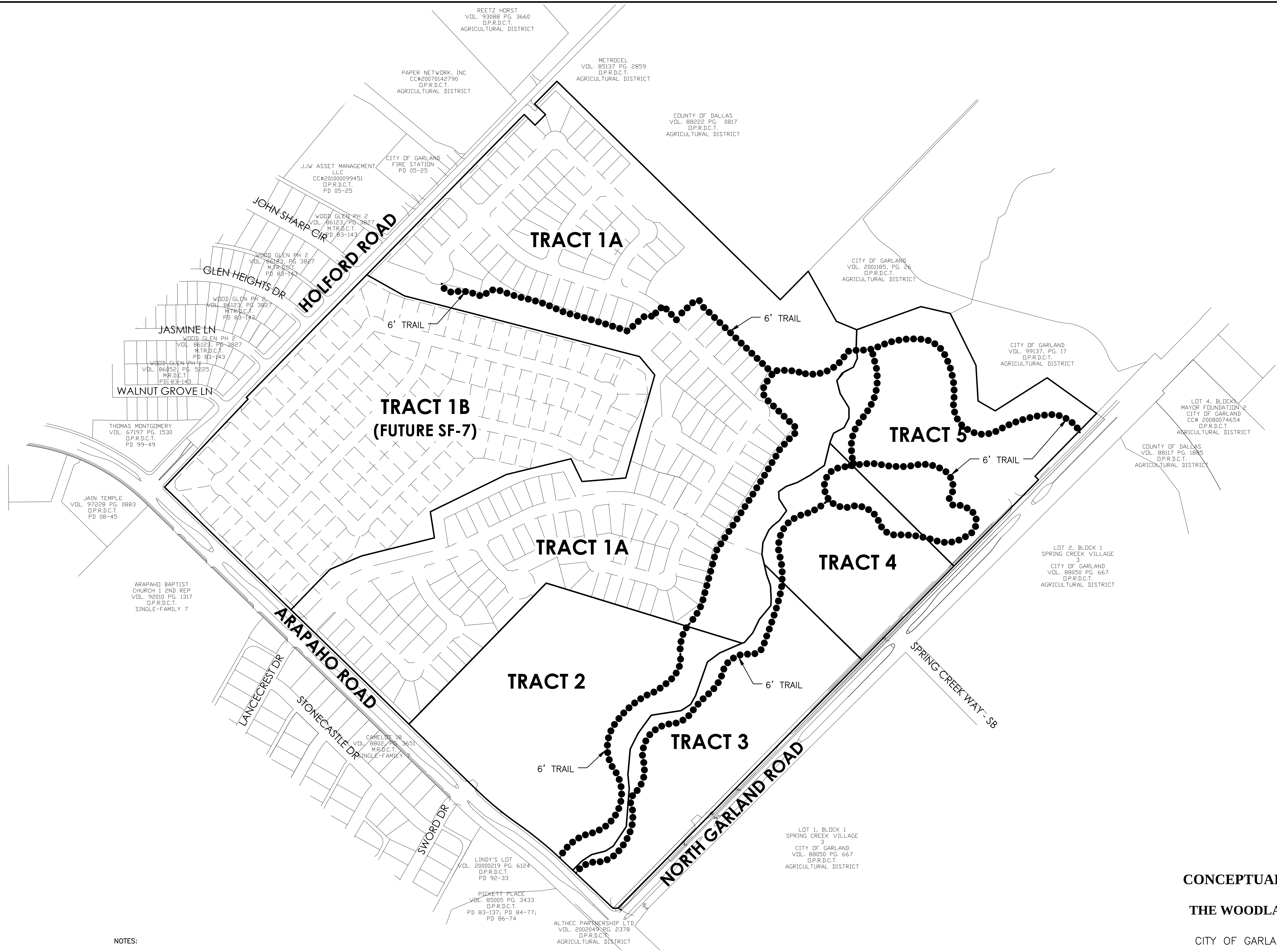
ALTHEC PROPERTIES, LTD.
914 SOUTH GARLAND AVENUE
GARLAND, TEXAS 75040
CONTACT: THOMAS CHAMBERS
214-676-4635

LANDSCAPE ARCHITECT

JACOBS
1999 BRYAN STREET, SUITE 1200
DALLAS, TX 75201-3136
PHONE 214-638-0145
FAX 214-638-0447
CONTACT: CHUCK HAYNES, P.L.A.
Jacobs Engineering Group Inc.
Texas Registration F-2966
Chuck.Haynes@jacobs.com

CASE NO. 160310-2





NOTES:

1. TRAIL SHALL BE CONCRETE AND A MINIMUM OF 6' WIDE.
2. TRAIL LOCATION IS CONCEPTUAL IN NATURE AND MAY BE ADJUSTED WITH FINAL DESIGN
3. TRAIL SHALL BE PRIVATE AND MAINTAINED BY HOMEOWNERS ASSOCIATION FOR TRACTS 1A & 1B AND SIMILAR ORGANIZATIONS FOR TRACTS 2, 3, 4, AND 5.

CONCEPTUAL TRAIL MASTER PLAN
OF
THE WOODLANDS ON SPRING CREEK
IN THE
CITY OF GARLAND, DALLAS COUNTY, TEXAS

DEVELOPER:

THE WOODLANDS ON SPRING CREEK, LP
14114 NORTH DALLAS PARKWAY,
SUITE 265
DALLAS, TEXAS 75254
CONTACT: MICHAEL HOLIGAN
214-597-3569

OWNER:

ALTHEC PROPERTIES, LTD.
914 SOUTH GARLAND AVENUE
GARLAND, TEXAS 75040
CONTACT: THOMAS CHAMBERS
214-676-4635

ENGINEER:

JACOBS
1999 BRYAN STREET, SUITE 1200
DALLAS, TX 75201-3136
PHONE 214-638-0145
FAX 214-638-0447
CONTACT: JASON STEPHEN, P.E.
Jacobs Engineering Group Inc.
Texas Registration F-2956
Jason.Stephen@jacobs.com

SURVEYOR:

DATA LAND SERVICES
REGISTERED PROFESSIONAL LAND SURVEYING
P.O. BOX 2110
FORNEY, TEXAS 75126
CONTACT: WILLIAM DAVIS FINNEY, R.P.L.S.

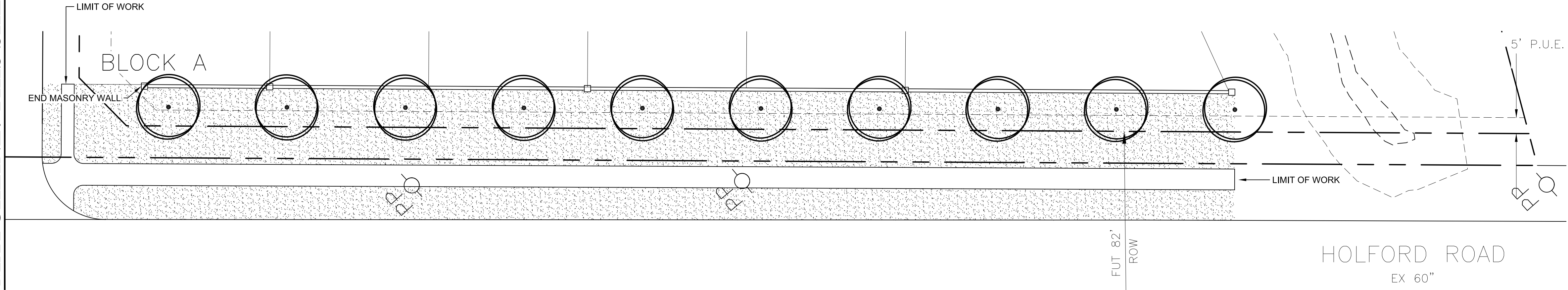
JUNE 28, 2016

SCALE: 1" = 200'

SHEET 1 OF 1

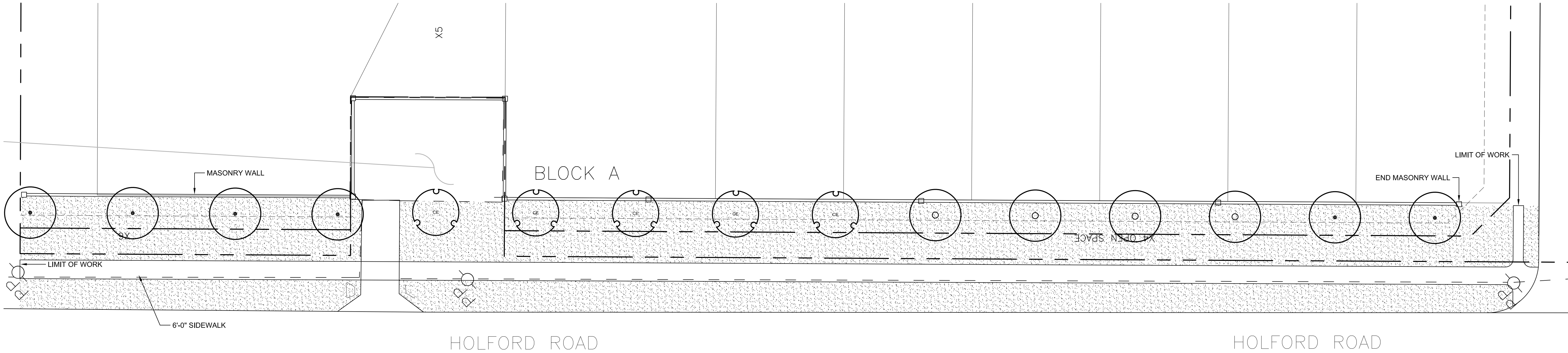
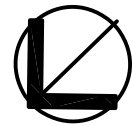
MATCHLINE: THIS SHEET - 02

PLANT SCHEDULE - 01							
TREES	CODE	QTY	COMMON NAME	CONT	CAL	SIZE	REMARKS
	LO	10	SOUTHERN LIVE OAK	CONTAINER GROWN	3" CAL	12'-15' HT.	STRONG CENTRAL LEADER; EVENLY BRANCHED
GROUND COVERS							
CODE	QTY	COMMON NAME	REMARKS				
	SOD	12,545 SF	BERMUDA GRASS				



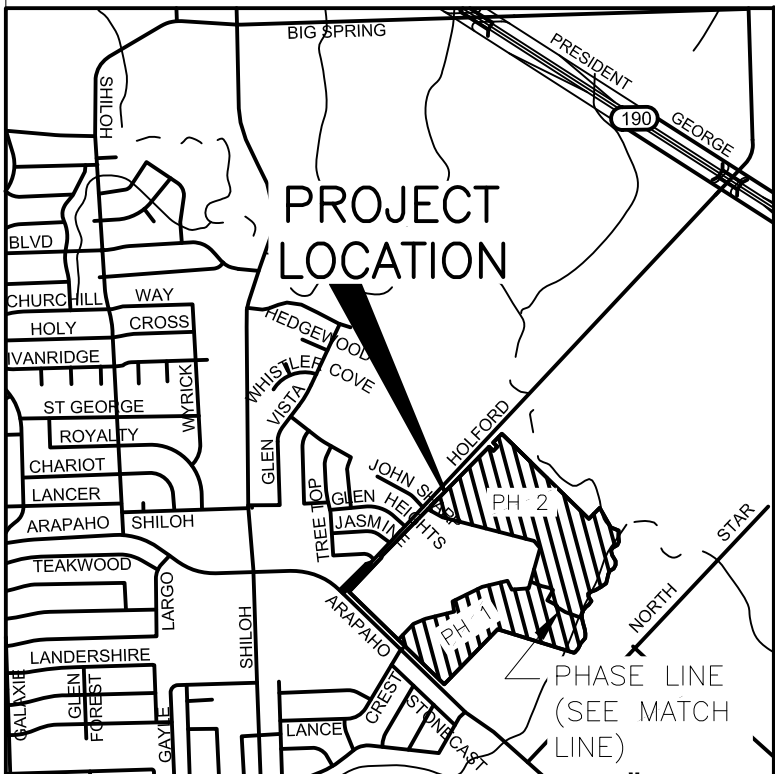
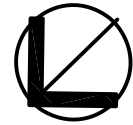
LANDSCAPE PLAN - 01

SCALE: 1" = 20.0'

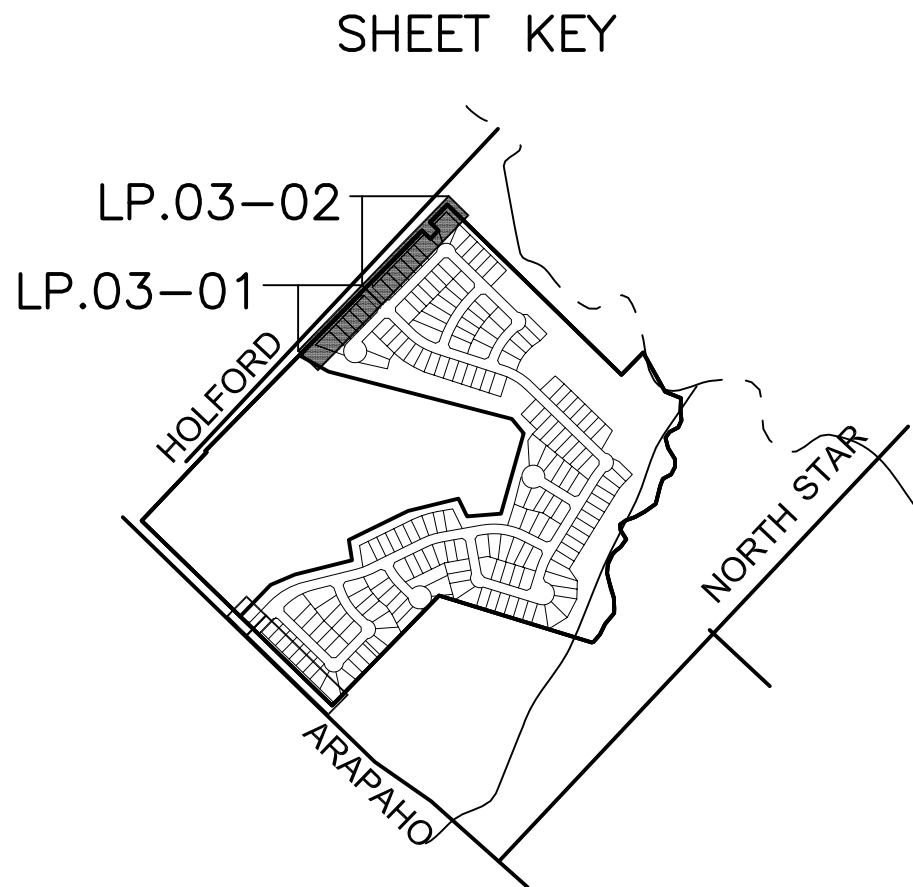


LANDSCAPE PLAN - 02

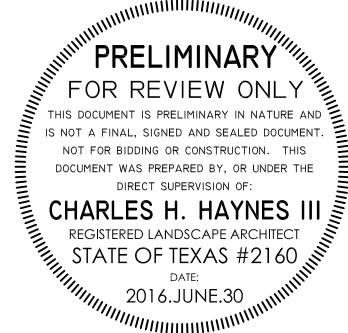
SCALE: 1" = 20.0'



VICINITY MAP
SCALE: 1"=2000'



PLANT SCHEDULE - 02								
TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	REMARKS	
	4	SHUMARD RED OAK	QUERCUS SHUMARDII	CONTAINER GROWN	3" CAL	12'-15' HT.	STRONG CENTRAL LEADER; EVENLY BRANCHED	
	5	CEDAR ELM	ULMUS CRASSIFOLIA	65 GAL	3" CAL	12'-15' HT.	MATCHING, FULL SINGLE LEADER	
	6	ALLEE LACEBARK ELM	ULMUS PARVIFOLIA 'ALLEE'	CONTAINER GROWN	3" CAL	12'-15'	STRONG CENTRAL LEADER; EVENLY BRANCHED	
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CONT	HEIGHT	SPREAD	SPACING	REMARKS
	20,526 SF	BERMUDA GRASS	CYNODON DACTYLON '419'	SOD				



LANDSCAPE PLAN
OF
THE WOODLANDS ON SPRING CREEK - TRACT 1A
58.35 ACRES / 191 LOTS / 7 HOA LOTS
OUT OF THE
ONEFRE ALVARDO SURVEY ~ ABSTRACT NO. 2
IN THE
CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER:
ALTHEC PROPERTIES, LTD.
914 SOUTH GARLAND AVENUE
GARLAND, TEXAS 75040
CONTACT: THOMAS CHAMBERS
214-676-4635

LANDSCAPE ARCHITECT
JACOBS
1999 BRYAN STREET, SUITE 1200
DALLAS, TX 75201-3136
PHONE 214-638-0145
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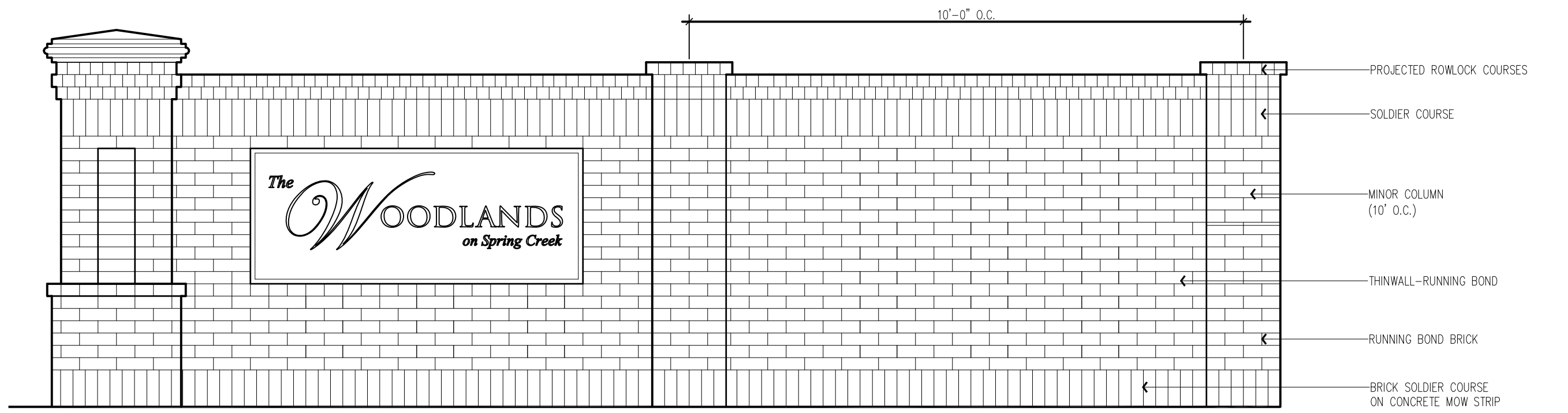
CASE NO. 160310-2

PROPOSED ZONING: PLANNED DEVELOPMENT

JUNE 30, 2016

SCALE: REF. PLAN SHEET 3 OF 4

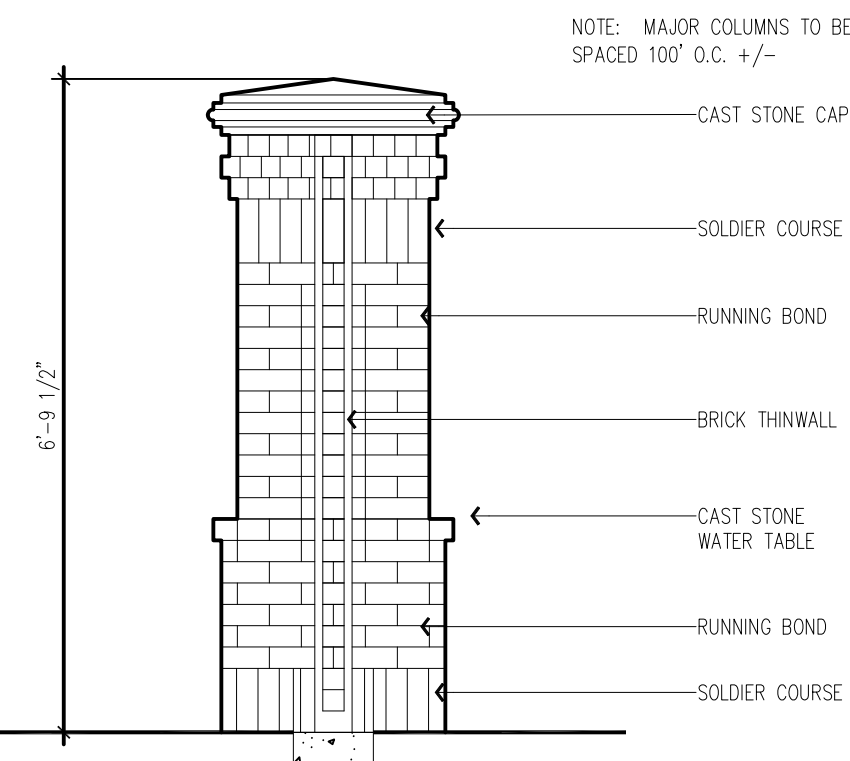
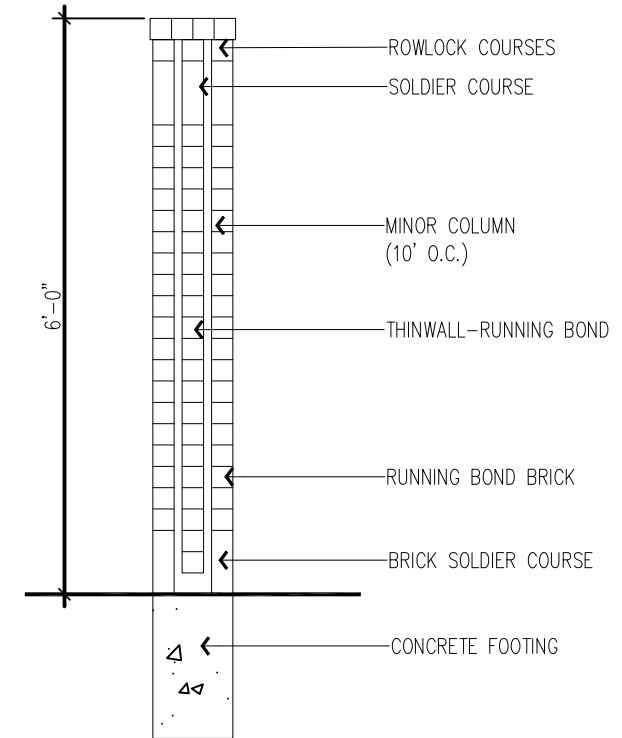
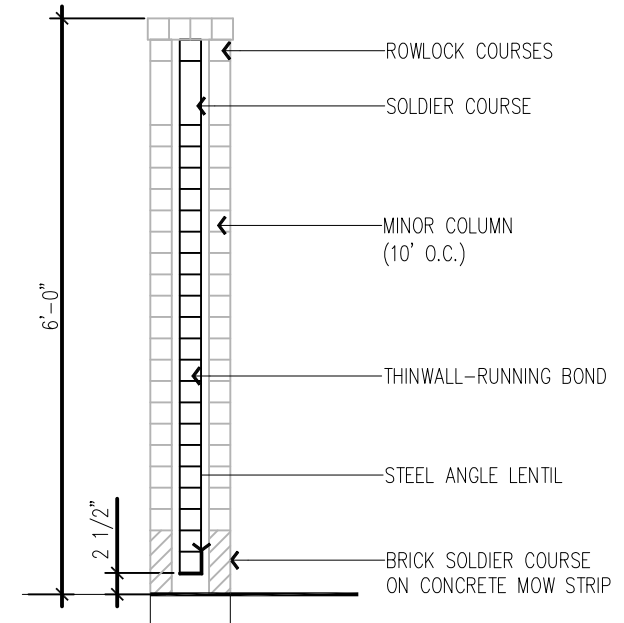
PROJECT NO WFXN2600



1 BRICK THINWALL & COLUMNS

QUANTITY: REF. PLANS

ELEVATION
SCALE: 1/2" = 1'-0"



NOTES
1. ALL MASONRY WALLS MUST MEET OR EXCEED CITY OF GARLAND STANDARD CONSTRUCTION DETAILS

2 BRICK THINWALL

SECTION
SCALE: 1/2" = 1'-0"

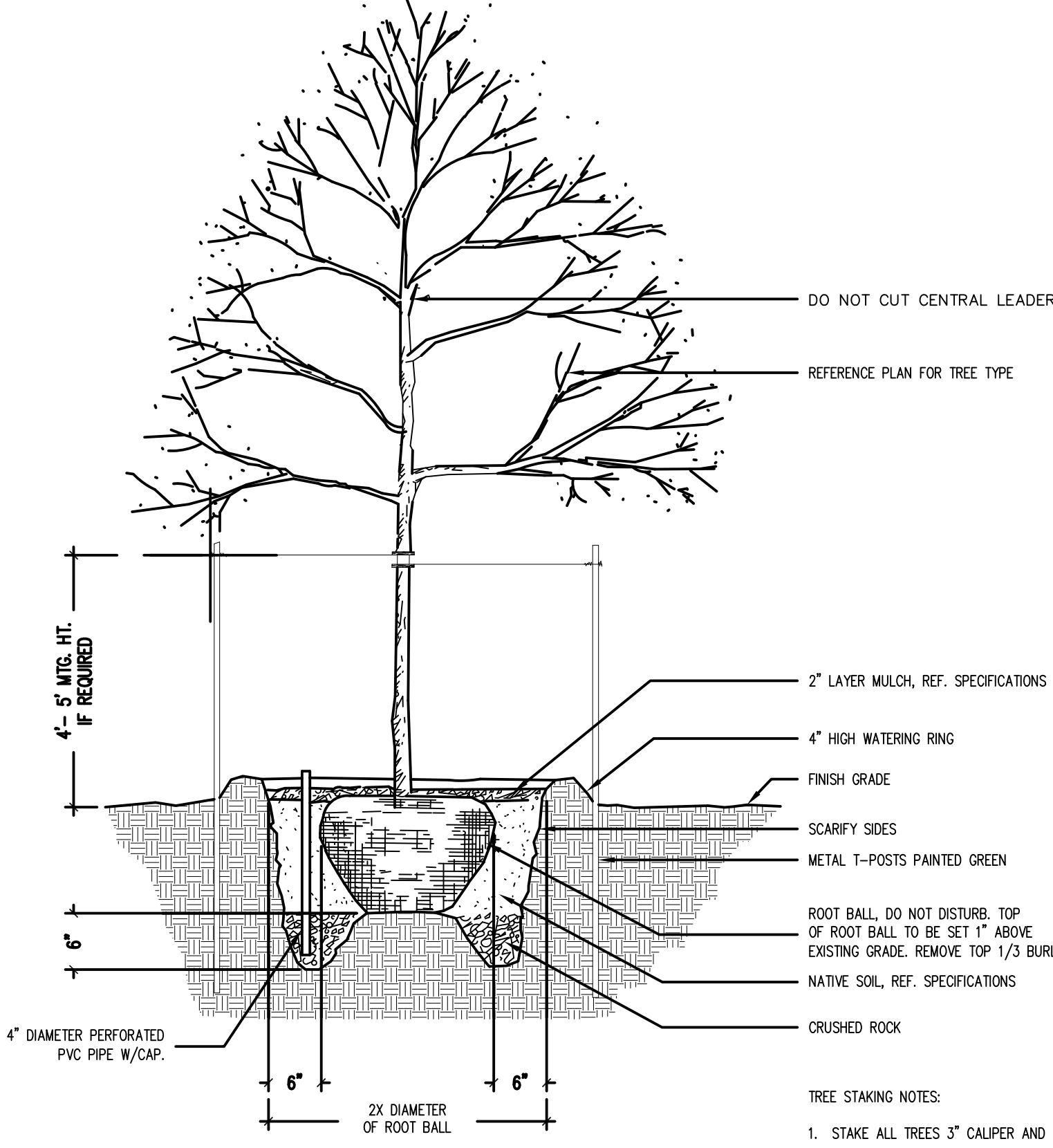
3 MINOR COLUMN

SECTION
SCALE: 1/2" = 1'-0"

4 MAJOR COLUMN

SIDE ELEVATION
SCALE: 1/2" = 1'-0"

QUANTITY: REF. PLANS

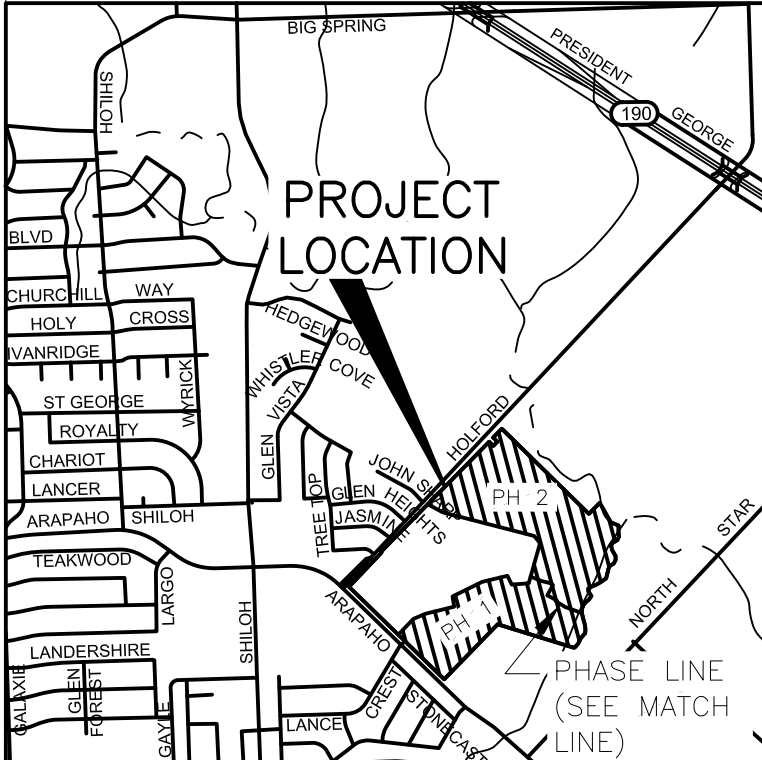


- TREE STAKING NOTES:
1. STAKE ALL TREES 3" CALIPER AND ABOVE.
 2. LOCATE STAKES OUTSIDE OF TREE WELL POSITION STAKES TO SECURE TREE AGAINST SEASONAL PREVAILING WINDS.
 3. USE RUBBER HOSE TO PROTECT TRUNK.
 4. THREAD (2) STRANDS NO. 12 GAUGE GALVANIZED WIRE (TWISTED) THROUGH HOSE AND TIE TO STAKES.

5 TREE PLANTING

ELEVATION
SCALE: NTS

QUANTITY: REF. PLANS



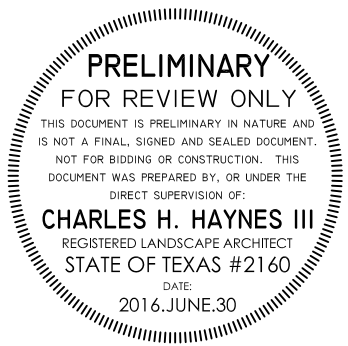
VICINITY MAP
SCALE: 1"=2000'

LANDSCAPE PLAN
OF
THE WOODLANDS ON SPRING CREEK - TRACT 1A
58.35 ACRES / 191 LOTS / 7 HOA LOTS
OUT OF THE
ONEFRE ALVARDO SURVEY ~ ABSTRACT NO. 2
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OWNER:
ALTHEC PROPERTIES, LTD.
914 SOUTH GARLAND AVENUE
GARLAND, TEXAS 75040
CONTACT: THOMAS CHAMBERS
214-676-4635

LANDSCAPE ARCHITECT
JACOBS
1999 BRYAN STREET, SUITE 1200
DALLAS, TX 75201-3136
PHONE 214-638-0145
FAX 214-638-0447
CONTACT: CHUCK HAYNES, P.L.A.
Jacobs Engineering Group Inc.
Texas Registration F-2966
Chuck.Haynes@jacobs.com

CASE NO. 160310-2





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 3. b.

Meeting Date: August 16, 2016

Item Title: Z 16-20 Baldwin Associates

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance 16-20 Baldwin Associates

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Z 16-20 Baldwin Associates Ordinance

Z 16-20 Baldwin Associates Attachments

ORDINANCE NO. ____.

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A CHARTER SCHOOL ON A 8.539-ACRE TRACT OF LAND ZONED SINGLE-FAMILY-7 (SF-7) DISTRICT LOCATED AT 2256 ARAPAHO ROAD, SOUTH OF ARAPAHO ROAD AND EAST OF NORTH SHILOH ROAD; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of July, 2016, the Plan Commission did consider and make recommendations on a certain request for approval of a Specific Use Provision made by **Baldwin Associates**; and

WHEREAS, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the Garland Development Code would provide for and would be in the best interest of the health, safety, morals, and general welfare:

Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:

Section 1

The Garland Development Code is hereby amended by approving a Specific Use Provision for Charter School on an 8.57-acre tract zoned Single-Family-7 (SF-7) District and located at 2256 Arapaho Road and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

Section 3

That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

Section 4

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 5

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2016.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 16-20

Being described as Lot 1RR, Block 1, Second Replat of Arapaho Baptist Church No. 1, an addition to the City of Garland, Texas, as recorded in Volume 96092, Page 2974 of the Plat Records of Dallas County, Texas, and containing 8.539 acres. This property is located at 2256 Arapaho Road, south of Arapaho Road and east of North Shiloh Road.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 16-20

2256 Arapaho Road

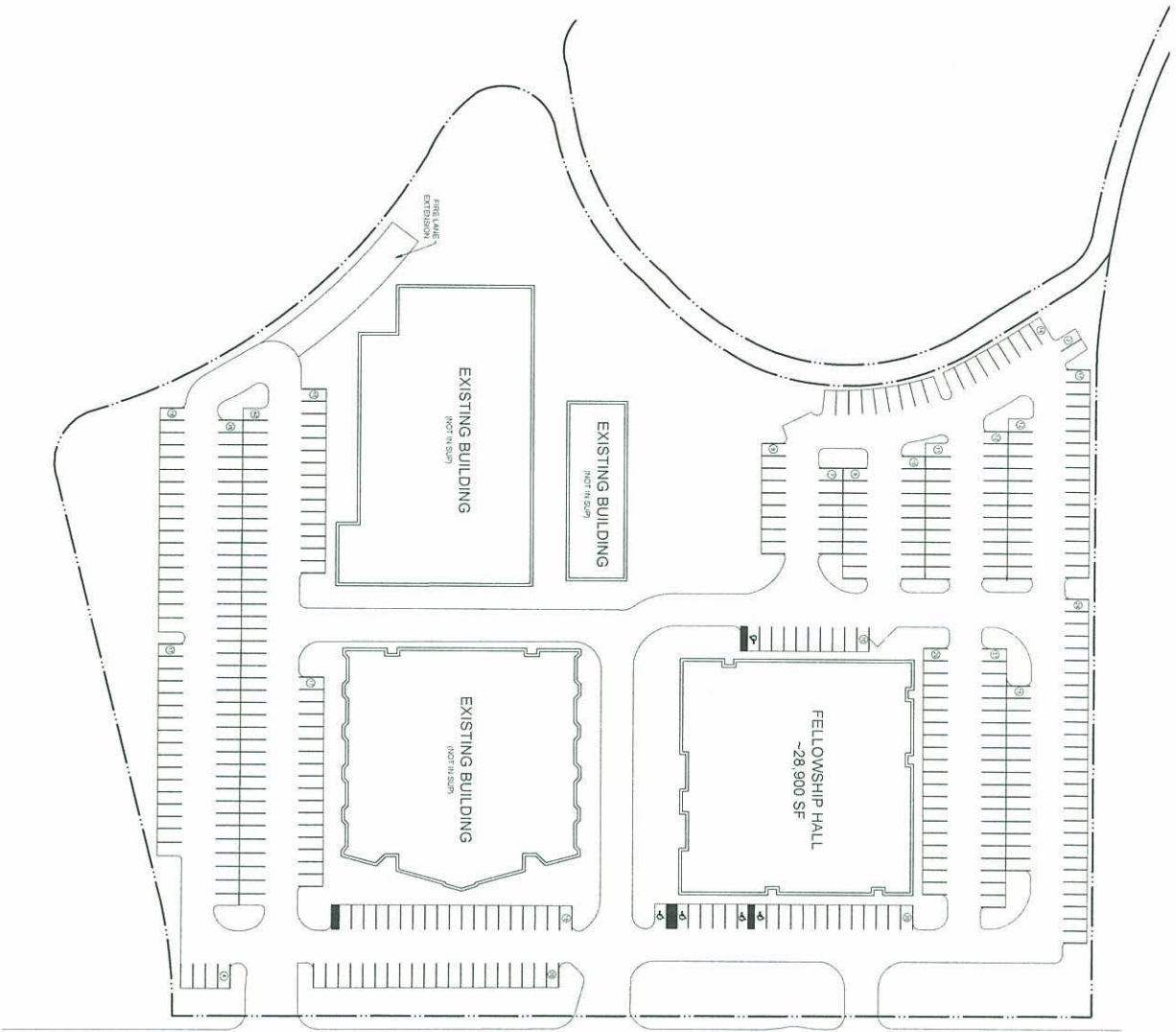
- I. Statement of Purpose:** The purpose of this Specific Use Provision is to permit a Charter School on the subject property.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Single-Family-7 (SF-7) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
 - A. Time Period:** The Specific Use Provision shall be in effect for a period of five years and for a maximum enrollment of 175 students (grades 9 through 12) per session for the two sessions specified in B. below. Exceeding the five (5) years or the 175 students per session shall require a new Specific Use Provision and a new Traffic Impact Study (TIS) to be performed to include annual growth for the surrounding area.
 - B. Days and Hours of Operation:** Classes are split between a morning session (7:45 a.m. to 12:00 p.m.) and an afternoon session (12:30 p.m. to 4:30 p.m.) Monday through Friday.
 - C. Traffic Management Plan:** School operation shall conform to the approved Traffic Management Plan, any deviation shall require prior approval from the City of Garland Transportation Department.
 - D. Traffic Signs:** Prior to the issuance of a Certificate of Occupancy, the site shall be improved with signs that separate and direct traffic to designated drop-off/pick-up lanes and parking for the charter school and day care uses.
 - E. Site Layout:** The site shall conform to the site layout reflected on Exhibit C.



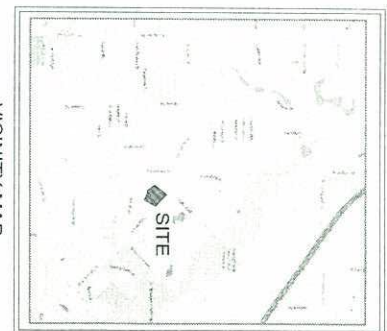
1

TEXAS CAN ACADEMY SUP SITE PLAN

SCALE: 1" = 40'-0"



ARAPAHO ROAD



VICINITY MAP



SITE INFORMATION:

PROPOSED CHARTER HIGH SCHOOL
GRADES 9-12 IN FELLOWSHIP
HALL BUILDING

CLASSROOMS: 9
STUDENTS: 175
REQUIRED PARKING: 58 (1:3)

EXISTING PARKING REQUIREMENTS:
CHILDCARE SUP: 45 P/S
CHURCH (700 SEATS): 175 P/S

TOTAL PARKING REQUIRED: 278
TOTAL PARKING PROVIDED: 401 P/S

2256 ARAPAHO
CITY OF GARLAND, TEXAS

Baldwin
Associates

BALDWIN
ASSOCIATES

3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.624.7949
rob@baldwinplanning.com

07/01/2016



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 3. c.

Meeting Date: August 16, 2016

Item Title: LU 16-01 / Z 16-23 Serene Global

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance LU 16-01 / Z 16-23 Serene Global

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

LU 16-01/Z 16-23 Serene Global Ordinance

LU 16-01 / Z 16-23 Serene Global Attachments

ORDINANCE NO.

AN ORDINANCE AMENDING THE ENVISION GARLAND COMPREHENSIVE PLAN AND FUTURE LAND USE MAPS FROM "PARKS & OPEN SPACE (PUBLIC AND PRIVATE)" TO "TRADITIONAL NEIGHBORHOODS" AND AMENDING THE GARLAND DEVELOPMENT CODE BY APPROVING 1) A CHANGE OF ZONING FROM AGRICULTURE (AG) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT FOR SINGLE-FAMILY-10 (SF-10) USES AND 2) A CONCEPT PLAN FOR DWELLING, SINGLE-FAMILY DETACHED, ON A 28.62-ACRE TRACT OF LAND LOCATED AT 2401 AND 2601 BRAND ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, at its regular meeting held on the 11th day of JULY, 2016, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Serene Global**; and

WHEREAS, the City Council, after determining that all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1

All such portions of the Comprehensive Plan and the Future Land Use Maps contained in the Envision Garland Plan that are or may be inconsistent with the zoning change provided in Section 2 below are amended to conform with such change(s) and those amendments are hereby adopted and approved.

Section 2

The Garland Development Code is hereby amended by approving 1) a change of zoning from Agriculture (AG) District to Planned Development (PD) district for Single-Family-10 (SF-10) uses and 2) a Concept Plan for Dwelling, Single-Family Detached on a 28.62-acre tract of land generally located at 2401 and 2601 Brand Road and more particularly described on Exhibit A, attached hereto.

Section 3

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

Section 4

The Envision Garland Plan and the Garland Development Code, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 5

The terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

A violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 7

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2016.

THE CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 16-23

STATE OF TEXAS:

COUNTY OF DALLAS & COLLIN:

BEING a tract of land situated in the E.H. Dodd Survey, Abstract Number 393, and being in the E.H. Dodd Survey, Abstract Number 281, being a portion of a tract of land conveyed to Gary Hearn as recorded in Volume 96120, Page 2275 of the Deed Records of Dallas and Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a Yz inch iron rod set for corner, being a point in the West Right of Way line of Brand Road, being the Southeast corner of a tract of land conveyed to North Texas Municipal Water District as recorded in Volume 2978, Page 129 of the Deed Records, Collin County, Texas, and being the Northeast corner of said Hearn tract;

THENCE South 00 degrees 52 minutes 37 seconds East, a distance of 311.02 feet to a Yz inch yellow-capped iron rod set for corner;

THENCE South (directional control), a distance of 51 6.36 feet to a Yz inch yellow-capped iron rod set for corner;

THENCE South 1 1 degrees 18 minutes 36 seconds West, a distance of 50.99 feet to a Y2 inch yellow-capped iron rod set for corner;

THENCE South, a distance of 100.00 feet to a Y2

inch yellow-capped iron rod set for corner, being a point in the West Right of Way line of said Brand Road ;

THENCE South 11 degrees 1 8 minutes 36 seconds East, a distance of 50.99 feet to a Y2 inch yellow-capped iron rod set for corner;

THENCE South, a distance of 48.94 feet to a Yz inch yellow-capped iron rod set for corner, being a point in the West Right of Way line of said Brand Road'

THENCE West, a distance of 630.00 feet to a Yz inch iron rod found for reference, continuing a total distance of 736.94 feet to point in creek for comer, being a point on the East l ine of a tract of land conveyed to City of Garland as recorded in Volume 99091, Page 6776 of the Deed Records, Dallas Coun, Texas;

THENCE North 71 degrees 56 minutes 00 seconds

West, a distance of 210.42 feet to a point in

creek for comer; THENCE North 34 degrees 36

minutes 00 seconds West, a distance of 230.90 feet

to a point in creek for corner; THENCE North 05

degrees 20 minutes 00 seconds West, a distance

of344.60 feet to a point in creek for comer;

THENCE North 37 degrees 00 minutes 00 seconds West,

a distance of 126.50 feet to a point in creek for

comer;

THENCE West, a distance of 74.24 feet to a point in creek for corner, being the East corner of a tract of land conveyed to City of Richardson as recorded in Volume 78148, Page 2753 of the Deed Records, Dallas County, Texas;

THENCE North 3 1 degrees 00 m inutes 00 seconds West, a distance of 429.98 feet to a Yz inch yellow-capped iron rod set for corner, being a point in the East line of said City of Richardson tract;

THENCE North 88 degrees 26 minutes 19 seconds East, a distance of 553.04 feet to a Y2 inch yellow-capped iron rod set for corner;

THENCE North 89 degrees 39 minutes 30 seconds East, a distance of 280.76 feet to a Y2 inch yellow-capped iron rod set for corner;

THENCE South 89 degrees 13 minutes 59 seconds East, a distance of 633.67 feet to the PLACE OF BEGINNING containing 28.62 acres of land.

PLANNED DEVELOPMENT CONDITIONS

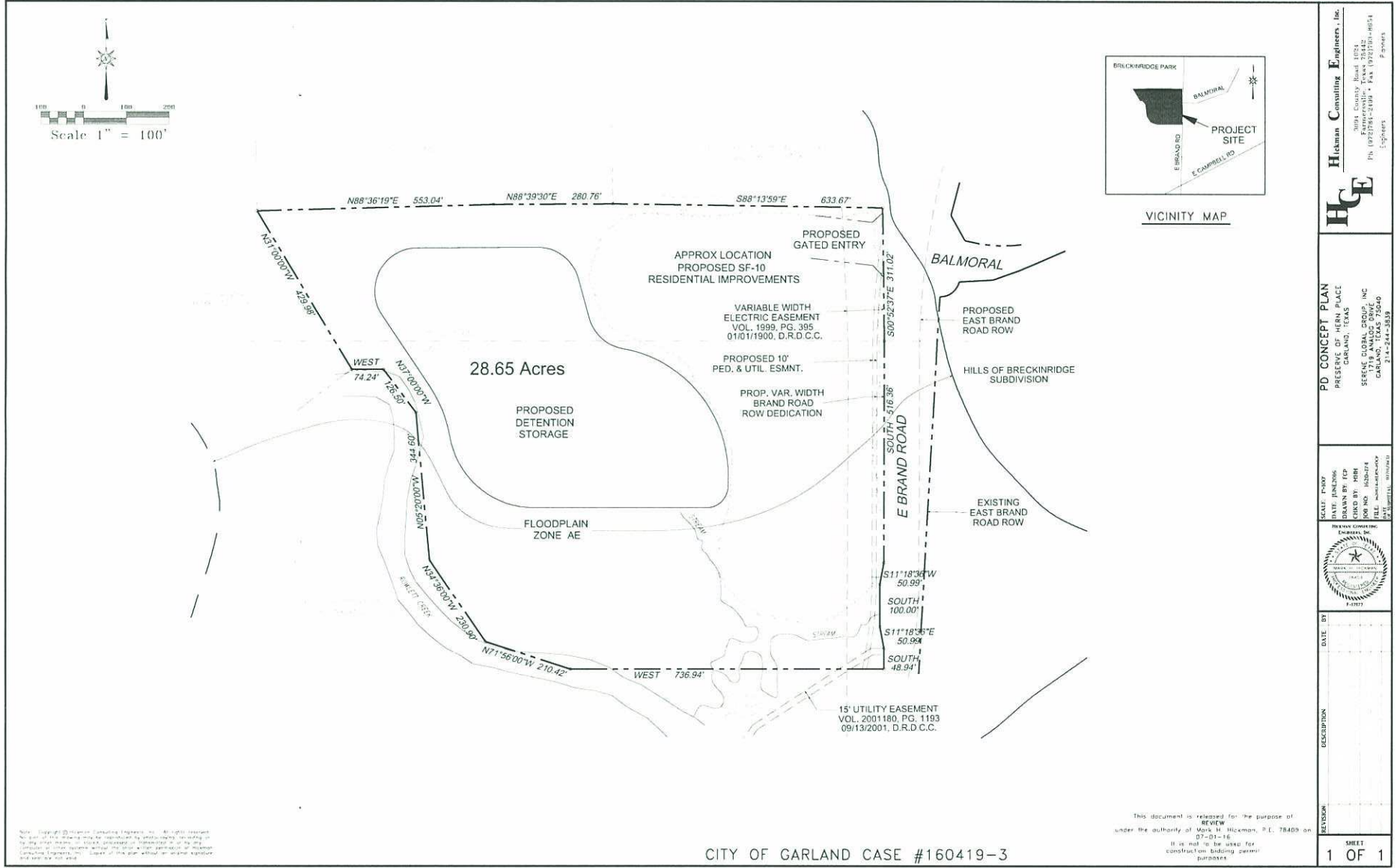
ZONING FILE Z 16-23

2401 and 2601 BRAND ROAD

- I. Statement of Purpose:** The purpose of this Planned Development is to permit the development of Single-Family Uses.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Single-Family 10 (SF-10) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Concept Plan:** Development shall be in general conformance with the Concept Plan labeled Exhibit C. In the event there is conflict between the approved Concept Plan and the Specific Regulations below, the Specific Regulations shall apply.
- V. Detail Plan:** Approval of a Detail Plan is required prior to any development on the property reflected in the Concept Plan.
- V. Specific Regulations:**
- A. Permitted Uses: Only Dwelling, Single-Family detached uses shall be permitted.
- B. Number of Lots: The maximum allowed number of lots is 12.

JUL 12 2015 4:50 PM

EXHIBIT C



Note: Copyright © Hickman Consulting Engineers, Inc. All rights reserved. No part of this drawing may be reproduced by any means, including electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Hickman Consulting Engineers, Inc. Copies of this plan without the proper signature and seal are not valid.

This document is released for the purpose of REVIEW under the authority of Mark H. Hickman, P.E. 78409 on 07-01-16. It is not to be used for construction bidding or other purposes.

CITY OF GARLAND CASE #160419-3

PD CONCEPT PLAN PRESERVE OF HEIN PLACE GARLAND, TEXAS SERENE GLOBAL GROUP, INC 17719 AMALOC DRIVE GARLAND, TEXAS 75040 214-244-3539	
SCALE: PLOTTED DATE: JUNE 2015 DRAWN BY: JEP CHECKED BY: JEP JOB NO.: 160419-3 FILE: 160419-3-00 DATE: 06/11/2015 BY: JEP	Hickman Consulting Engineers, Inc. 3001 County Road 1020 Farmersville, Texas 75442 Ph: (972) 781-2100 • Fax: (972) 781-8051 Engineers Surveyors
REVISION	DATE BY
DESCRIPTION	
SHEET 1 OF 1	



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 4.

Meeting Date: August 16, 2016

Item Title: 2015 Building Code Adoption

Submitted By: Jim Olk, Building Official

Summary of Request/Problem

Council is requested to consider an ordinance adopting the 2015 editions of the following construction codes: International Building Code, International Residential Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code, International Energy Conservation Code, International Property Maintenance Code, and the 2014 National Electrical Code and take appropriate action.

Recommendation/Action Requested and Justification

In April of 2016 the Building and Fire Code Board held a public meeting to receive public comments and consider a recommendation to adopt the 2015 International Building Code, International Residential Code, International Energy Conservation Code and the Property Maintenance Code. The Building and Fire Code Board unanimously recommended that the City Council adopt these codes with the proposed amendments. Also in April of 2016 the Plumbing and Mechanical Code Board along with the Electrical Code Board held a joint public meeting to receive public comments and consider adopting the 2015 International Plumbing Code, International Mechanical Code, International Fuel Gas Code and the 2014 National Electrical Code. The Plumbing and Mechanical Code Board and the Electrical Code Board unanimously recommend that the City Council adopt these codes with the proposed amendments. City Administration recommends adoption of the 2015 edition of the International series of codes and the 2014 National Electrical Code reviewed and recommended by the appointed advisory boards.

Model codes establish a minimum standard for construction to protect the life, health and safety of the people that occupy or visit buildings and through a governmental consensus process they are updated every three years so as to address newer building techniques, new materials and methods of construction. Currently the City of Garland enforces the 2009 International series of construction codes along with the 2008 National Electrical Code. To promote uniformity with the region the North Central Texas Council of Governments has recommended that municipalities within the North Central Texas adopt the 2015 series of International Codes and the 2014 National Electrical Code with regional amendments.

Attachments

2015 Building Codes

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 30, "BUILDING INSPECTION," OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

Section 30.01 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.01 Adoption of the International Building Code

The International Building Code ("Building Code"), 2015 edition, is hereby adopted by reference. A copy shall be kept on file in the office of the City Secretary. Unless deleted, amended, expanded or otherwise changed herein, all provisions of the Building Code shall be fully applicable, binding, of full force and effect within the City.

Section 2

Section 30.02 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.02 Amendments, modifications and deletions

The following sections of the International Building Code, as adopted in section 30.01 above, are amended as described below:

Section 101.1 Title shall be amended to read as follows:

101.1 Title. These regulations shall be known as the Building Code of the City, hereinafter referred to as "the Building Code."

Section 101.4 Referenced codes, shall be amended to read as follows:

101.4 Referenced codes. The other codes listed in Sections 101.4.1 thru 101.4.8 and referenced elsewhere in the Building Code, when specifically adopted, shall be considered part of the requirements of the Building Code to the prescribed extent of each such

reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to that code or standard shall be considered to reference the amendments as well. Any reference to the International Electrical Code or NFPA 70 shall mean the Electrical Code as adopted and amended by the Code of Ordinances.

Section 101.4.4 Property Maintenance shall be amended to read as follows:

101.4.4 Property maintenance. The provisions of the International Property Maintenance Code shall apply to existing non-residential structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing non-residential premises and structures.

Section 101.4.7 Existing buildings shall be amended to read as follows:

101.4.7 Existing buildings. Repair, alternations, additions, relocation and changes in occupancy shall conform to the provisions of this code for a new building. As an alternate method of construction and in conformance with Sec. 104.11 an applicant may submit for approval a design in conformance with the International Existing Building Code. Such design may be approved by the building official provided the proposed design is satisfactory and complies with the intent of the provisions of this code.

Section 101.4.8 Electrical shall be added to read as follows:

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.

Section 103.1 Creation of enforcement agency shall be amended to read as follows:

103.1 Creation of enforcement agency. The Building Inspection Department shall enforce the provisions of this code. The official in charge shall be the Building Official.

Section 105.2 Work exempt from permit shall be amended to read as follows:

First paragraph remains unchanged.

Building

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 20 square feet.
2. Oil derricks.
3. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Temporary motion picture, television and theater stage sets and scenery.
6. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, do not exceed 5,000 gallons, and are installed entirely above ground.
7. Swings and other playground equipment accessory to detached one- and two-family dwellings.
8. Movable cases, counters and partitions not over 5 feet 9 inches in height.
9. Un-covered decks not over 30 inches in height above grade.
10. Minor foundation repair and roof repair of less than \$2,000.00.

Section 105.5 Expiration shall be amended to read as follows:

105.5 Expiration. An individual permit issued by the Building Official shall expire by limitation and become null and void on the expiration of 2 years after its issuance if no progress has been made toward the completion of the project, or upon expiration of the project. (A project shall expire immediately after the fifth anniversary of the date the first permit application was filed for the project if no progress had been made towards completion of the project.) Once a permit for particular work has expired, a new permit must be applied for and obtained before the work can be commenced. The permit fee shall be the full amount required for a new permit for such work. The Building Official or his designee shall determine the extent to which the work must comply with any new regulations that were not in effect at the time the original permit was issued.

Section 107.1 General shall be amended by adding a new paragraph to the end of that section to read as follows:

A state-licensed architect shall prepare documents on all Group E, division 3 daycare facilities over 5,000 square feet.

Section 107.2 Construction documents shall be amended by adding new subsections 107.2.7, 107.2.8 and 107.2.9 to read as follows:

107.2.7 Asbestos survey. An applicant for all public or commercial building renovation or demolition permits must provide evidence of an asbestos survey prior to the issuance of the permit.

107.2.8 TDLR-AB review. Plans and specifications shall be submitted to the Texas Department of Licensing and Regulation ("TDLR") for review prior to submittal for review or permitting. Verification of project registration with TDLR shall be required prior to permit

107.2.9 Storm-water pollution prevention plan A storm-water pollution prevention plan ("SWPPP") may be required in accordance with State, Federal and local statute.

Section 109 Fees shall be amended by adding subsections 109.7, 109.8, 109.8.1, 109.8.2 and 109.9 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.
8. Work is concealed without required inspection.
9. The applicant fails to provide means of access to the area subject to inspection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

109.8 Work without a permit.

109.8.1 Preliminary inspection. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a preliminary inspection may be made before a permit may be issued for such work.

109.8.2 Fees. Permit fees may be doubled when work is commenced prior to obtaining a permit.

Section 110.3.8 Other inspections shall be amended by adding a sentence to the end of that section to read as follows:

A storm-water pollution prevention plan ("SWPPP") and inspection may be required.

Section 111 Certificate of Occupancy is amended in its entirety to read as follows:

SECTION 111 CERTIFICATE OF OCCUPANCY

111.1 Use or occupancy. A building or structure shall not be used or operated, and a change in the existing use or occupancy classification of a building or structure or a portion thereof shall not be made, until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Dwellings are exempted from the foregoing requirements.

The Building Inspection Department may issue a single certificate of occupancy for multi-tenants in one lease space or building when the occupants share common areas or staff and related activities which are under the control of a single person or business.

A certificate of occupancy shall be obtained for a building, structure or land when there is a change in classification of use as provided by the Garland Development Code (GDC) when there is a change as provided by the Building Code, or when there is a change in tenants of the building, structure or land.

111.2 Certificate issued. After all necessary inspections have

been conducted by the City and when it is determined that there is no probable cause to believe that the buildings, structures or land do not comply with an applicable provision of the Code of Ordinances, the Building Official shall issue a certificate of occupancy containing the following:

- (1) The address of the location of the building, structure or land.
- (2) The name of the tenant occupying or using the building, structure, or land.
- (3) A statement as to the approved use of the building, structure or land.
- (4) The allowable occupant load for assembly uses.
- (5) Any other information deemed necessary by the Building Inspection Department.

Approved use is based upon an applicant's representations as to the use of the building, structure, or land. The use approved by the Building Official does not authorize any unlawful use of the building, land, or structure even if the City issues the certificate of occupancy.

111.3 Temporary occupancy. The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Official shall set a time period during which the temporary certificate of occupancy is valid.

111.4 Revocation. The Building Official may suspend or revoke a certificate of occupancy when it is determined it was issued in error or on the basis of incorrect information; in the event of an unapproved addition or change in use or occupancy of the building, structure, land or any part thereof; or when it is determined that the building, structure, land or any portion thereof is in violation of any ordinance or regulation, or any provision of the applicable zoning, building or fire codes.

111.5 Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official.

111.6 Fee. At the time that an application is made for a certificate of occupancy, a fee in the amount prescribed in the

fee schedule (section 30.301 of chapter 30 of the Code of Ordinances) shall be paid.

Section 113 Board of Appeals shall be amended in its entirety to read as follows:

SECTION 113 BUILDING AND FIRE CODES BOARD

113.1 Appeals. Any person aggrieved by any decision or ruling made by the Building Official or the Fire Marshal under the provisions of the Building Code may appeal to the Building and Fire Codes Board (the "board").

113.2 Time for filing appeal/grounds. The appeal must be in writing and received in the office of the Building Official within 30 days of the decision or ruling to be appealed, and must set forth the specific grounds for the appeal. The Building Official shall forward the appeal to the board, along with all information constituting the record upon which the decision was made.

113.3 Notice of hearing. The board shall meet upon notice from the chairman and within 30 days of the date the appeal was filed.

113.4 Decision of board. The board shall render a written decision affirming, modifying, or reversing the decision, in whole or in part, within 30 days of the hearing, and may issue appropriate orders consistent with its decision. All decisions of the board shall be by a majority vote. The minutes of the meeting shall reflect how each of the board members participating in the decision voted. The decision of the board shall be filed promptly in the office of the Building Official and with the City Secretary. The Building Official shall be responsible for the enforcement of the board's decisions.

113.5 Board composition.

113.5.1 Composition. The board shall consist of 9 voting members who shall be appointed by the City Council. The term of office for members of the board shall be 2 years. The Building Official or his designee shall be an ex officio member of the board, without voting privileges.

113.5.2 Compensation. The appointive members of the board shall serve without compensation.

113.5.3 Secretary. The Building Official or his designee shall act as secretary to the board, and shall be responsible for keeping written minutes of the meeting.

113.5.4 Election of officers. An annual election of the chairman and vice chairman of the board shall be held during the first meeting after September 1 of each year.

113.6 Powers and duties.

113.6.1 Generally. The board shall meet upon call of the chairman to consider proposed revisions to this code, as needed for the consideration of appeals of decisions of the Building Official, to consider the time period of suspension of a person's ability to secure permits, or to perform other duties assigned to the board by the Code of Ordinances.

113.6.2 Amendments. The board shall recommend to the City Council amendments to the Building Code, as well as to the Fire Code, the Energy Conservation Code and Chapters 1-11 of the Residential Code. Any interested person may submit proposed amendments to the board. The board shall consider the recommendation of the Building Official concerning any proposed amendment. In order for the board to recommend an amendment to the City Council, a concurring vote of two-thirds (2/3) of the members of the board present at the meeting is required.

113.6.3 Appeals. The board shall have the authority to hear appeals of decisions or rulings of the Building Official made under the provisions of the Building Code, Energy Conservation Code and Chapters 1-11 of the Residential Code. The board shall have the authority to hear appeals of decisions or rulings of the Fire Marshal made under the provisions of the Fire Code. In that connection, the board shall have the limited power to determine whether the true intent of these codes and the rules adopted thereunder have been correctly interpreted, whether the provisions of these codes apply fully, or whether an equally good or better form or construction or material was proposed and may be used. The board shall have no power to limit, modify, change or waive any requirement of these codes.

113.6.4 Suspension of permit privileges. A person's ability to secure permits may be suspended by the Building Official for a period specified by the Building and Fire Codes Board, for any of the following causes:

- (a) The person fails to finalize permits by obtaining the required approved inspections.
- (b) The person allows use or occupancy of the structure or facility without first obtaining the required authorization.
- (c) The person has been found by the board to have been grossly negligent in the performance of the work.
- (d) Expiration, suspension or revocation of required license, bond or insurance.

Section 117 Working Hours, shall be added to read as follows:

SECTION 117 WORKING HOURS

117.1 Hours established. Any outside work being done adjacent to an occupied residential subdivision or adjacent to an occupied residential use, including multifamily uses, shall be allowed only between 7:00 a.m. and 8:00 p.m. each day of the week. Any outside work being done adjacent to an occupied residential subdivision or adjacent to an occupied residential use, including multifamily uses, shall be prohibited between 8:00 p.m. and 7:00 a.m. each day of the week.

117.2 Other regulations unaffected. This section does not authorize violation of any other law or regulation.

117.3 Exceptions. These regulations do not affect emergency work being done to secure a structure or to reestablish utility service to a structure.

117.4 Variance. The Director of Health, in accordance with section 22.76 of the Code of Ordinances, may issue a permit of variance to these regulations.

Section 202 Definitions shall be amended by changing the following definitions of to read as follows:

ATRIUM. An opening connecting three or more stories other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505 of the Building Code.

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 who are rendered incapable of self-preservation by the services provided. This group may include but not be limited to the following:

- Dialysis centers
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

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.

HIGH-RISE BUILDING. A building having floors used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access.

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.

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 the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

Section 303.1.3 Associate the Group E occupancies shall be amended 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 Chapter 10 and 11.

Section 304.1 Business Group shall be amended by adding the following two uses to the list of occupancies types:

Fire stations;
Police stations with detention facilities for 5 or less.

Section 307.1.1 Uses other than Group H shall be amended to 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.

Section 403.1 Applicability shall be amended to read as follows:

403.1 Applicability. The provisions of this section shall apply to buildings having any occupied floors located more than 55 feet above the lowest level of fire department vehicle access. High-rise buildings shall comply with Sections 403.2 through 403.6.

Section 403.1, Exception 3 shall be amended to read as follows:

3. The open air portion of a building *[remainder unchanged]*

Section 403.3.2 Water supply to required fire pumps shall be amended to read as follows:

403.3.2 Water supply to required fire pumps. In buildings that are more than 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.}*

Section 403.5.4 Smokeproof enclosures shall be amended to read as follows:

403.5.4 Smokeproof enclosures. Every required interior exit stairway serving floors more than 55 feet above the lowest level of fire department vehicle access shall be a smokeproof enclosure in accordance with Sections 909.20 and 1023.10.

Section 404.5 Smoke control shall be amended by deleting the

exception in its entirety.

Section 406.3.5.1 Carport separation shall be amended to read as follows:

406.3.5.1 Carport separation. A 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.

Section 406.8 Repair Garages shall be amended by adding a second paragraph at the end of the section to read as follows:

This occupancy shall include garages involved in the servicing of motor vehicles such as oil and lubricant changes, inspections, windshield repair or replacement, shock absorbers, minor part replacement, and other such non-major repair. When the garage is only involved in such minor repair, it need not comply with Section 406.8.1 of the Building Code

Section 506.3.1 Minimum Percentage of perimeter shall be amended by adding a sentence to the end of the section to read as follows:

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway from the street or approved fire lane must be provided. (See the International Fire Code, as adopted and amended by the Code of Ordinances, for hose lay measurement pathway requirements.)

Table 508.4 Required separation of occupancies (hours) shall be amended by adding a new exception "f" to read as follows:

f. Unless waived by the Building Official, a 1-hour tenant separation wall is required between tenants in all occupancies. Protection of openings may be waived if the building is classified as "non-separated uses" in accordance with Section 302.3 of the Building Code.

Table 705.8 Maximum area of exterior wall openings based on fire separation distance and degree of opening protection shall be amended by adding a sentence to the end of footnote "f" to read as follows:

Open metal carport structures may be constructed on the property

line without fire-resistive or opening protection when the location of the carport is allowed or approved as provided by the Code of Ordinances.

Section 806.3 Combustible decorative materials shall be amended to read as follows:

806.3 Combustible decorative materials. In occupancies in Groups A, E, I, and R-1, and dormitories in Group R-2, curtains, draperies, fabric hangings and other similar combustible decorative materials suspended from walls or ceilings shall comply with Section 806.4 and shall not exceed 10 percent of the specific wall or ceiling area to which they are attached.

Section 901.5.1 Acceptance Testing is amended to add Section 901.5.1.1 to read as follows:

901.5.1.1 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 when foreign material is present, 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*.

Section 901.7 Fire areas, shall be deleted in its entirety.

Section 901.8 Pump and riser room size shall be amended to add the following:

901.8.1 Pump and riser room. When located on the ground level, the fire pump or sprinkler riser room shall be located at an exterior wall and provided with an exterior fire department access door that is not less than three (3) feet in width and six feet, eight inches (6'8") in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by the Fire Code Official. The exterior door shall be

marked "FIRE RISER ROOM" or "FIRE PUMP ROOM."

Exception: When it is necessary to locate a fire sprinkler riser room on other levels, the corridor leading to the fire sprinkler riser room access from the exterior of the building shall be provided with a minimum one hour fire resistance, or as approved by the Building Official. Access keys shall be provided in the key box as required by the Fire Code Official.

Section 903.1.1 Alternative protection shall be amended to read as follows:

903.1.1 Alternative Protection. Alternative automatic sprinkler systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as approved by the Fire Code Official.

Section 903.1 General shall be amended by adding a new Section 903.1.2 to read as follows:

903.1.2 Residential systems. Unless specifically allowed by this code or the International Fire Code, residential sprinkler systems installed in accordance with NFPA 13D or NFPA 13 R shall not be recognized for the purpose of exceptions or reduction (commonly referred to as "trade-offs") permitted by other provisions of this code.

Section 903.2 Where required shall be amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Section 903.2.1 thru 903.2.12 of the Building Code. 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."

Section 903.2 Where required shall be amended to delete the exception.

Section 903.2.1.1, Group A-1, shall be amended to change the

condition to read as follows:

1. The fire area exceeds 5,000 square feet.

Section 903.2.1.3, Group A-3, shall be amended to change the condition to read as follows:

1. The fire area exceeds 5,000 square feet.

Section 903.2.1.4, Group A-4, shall be amended to change the condition to read as follows:

1. The fire area exceeds 5,000 square feet.

Section 903.2.3, Group E, shall be amended to change the conditions to read as follows:

1. The fire area exceeds 5,000 square feet;
2. Where a Group E fire area is located below the lowest level of exit discharge serving that portion of the building; or
3. Where a Group E fire area is located more than two stories above grade plane.

Section 903.2.4, Group F-1, shall be amended to change the conditions to read as follows:

1. The fire area exceeds 5,000 square feet;
2. The fire area is located more than two stories above grade plane; or
3. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 sq meters).

Section 903.2.7, Group M, shall be amended to change the condition to read as follows:

1. The fire area exceeds 5,000 square feet.

Section 903.2.7 Group M shall be further amended by deleting exceptions 3 and 4 in their entirety.

Section 903.2.8.1, Group R, shall be amended by adding an exception to read as follows:

Exception: Group R-3 single-family residences that are less than 5,000 square feet shall not be required to be sprinkled.

Section 903.2.8 Group R shall be amended by adding new Sections 903.2.8.5 and 903.2.8.6 to read as follows:

903.2.8.5 Mixed use occupancies. Where buildings are of mixed use, residential portions of the building shall be protected with residential or quick response sprinklers in accordance with NFPA 13. Other portions of such buildings including attic spaces shall be protected in accordance with NFPA 13. NFPA 13R systems shall not be allowed in buildings where portions of mixed use contain residential occupancies. Fire walls and fire separations shall not define separate buildings.

903.2.8.6 Existing R-1 and R-2 occupancies. In R-1 and R-2 occupancies where a fire has occurred and displaces occupants in 50-percent or more of the buildings, the affected building shall be fire sprinkled prior to re-occupancy of the building.

Section 903.2.9, Group S-1 shall be amended to change the conditions to read as follows:

1. The fire area exceeds 5,000 square feet;
2. The fire area is located more than two stories above grade plane;
3. The S-1 occupancy is used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 sq. meters).
4. The fire area used for the storage of commercial trucks or buses exceeds 5,000 square feet.

Section 903.2.9.1, Repair Garages, shall be amended to change the conditions to read as follows:

1. The fire area of buildings having two or more stories above grade that exceeds 3,500 square feet;
2. The fire area in a one story building exceeding 5,000 square feet; or
3. The fire area used for the repair of commercial trucks

or buses exceeding 2,500 square feet.

4. Buildings with repair garages servicing vehicles parked in basements.

Section 903.2.9.2 Bulk storage of tires shall be amended to read as follows:

903.2.9.2 Bulk tire/storage of tires. Buildings or structures that contain an area for the storage of tires that exceeds 1,000 square feet shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the Building Code.

Section 903.2.9.3 Self-service storage facility, a new section, is added to read as follows:

903.2.9.3 Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

Exception: One-story self-service storage facilities that have no interior corridors, with a one-hour fire barrier separation wall installed between every storage compartment.

Section 903.2.10, Group S-2 enclosed parking garages, shall be amended to change the conditions to read as follows:

If one of the following conditions exist, the building shall be sprinkled:

1. The fire area of the enclosed parking garage exceeds 5,000 square feet.
2. The enclosed parking garage is located beneath other occupancy groups.

Exception: The enclosed parking garage is located beneath a Group R-3 occupancy and the R-3 fire area is less than 5,000 square feet.

Section 903.2.11.3 Buildings 55 feet or more in height shall be amended to read as follows:

903.2.11.3 Buildings 35 feet or more in height. An automatic

sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1510 of the International Building Code that is located 35 feet or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exception:

Open parking structures in compliance with Section 406.5 of the Building Code, having no other occupancies above the subject garage.

Section 903.2.11 Specific buildings areas and hazards shall be amended by adding new Sections 903.2.11.7 thru 903.2.11.9 to read as follows:

903.2.11.7 High-piled combustible storage. For any building with a clear height exceeding 12 feet, see Chapter 32 of the Fire Code, as adopted and amended by the Code of Ordinances, 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 5,000 square feet. An automatic sprinkler system shall be installed throughout all buildings 5,000 square feet and greater and in all buildings that are enlarged to be 5,000 square feet and greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exceptions:

1. Open parking garages in compliance with Section 406.3 of the Building Code.
2. When of non-combustible construction, the area of awning extension or freestanding canopies, both sides, and not used for displaying or storage shall not be considered for requiring sprinkler protection for areas greater than 5,000 square feet but less than otherwise required by the Building Code.
3. Except for H and I occupancies, an addition with less than 1,000 square feet may be separated from the existing building without causing either the addition or the existing building to be sprinkled. The separation shall be a 2-hour fire barrier for types II and V construction and a 3-hour fire

barrier for all other types of construction.

Section 903.3.1.1.1 Exempt locations is amended to read as follows:

903.3.1.1.1 Exempt locations. When approved by the Fire Marshal, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 of the Building Code that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely 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 Marshal.
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. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.

Section 903.3.1.2 shall be amended by adding a sentence to the end of the paragraph to read as follows:

Sprinkler systems installed in accordance with 13R shall include sprinkler protection in combustible attics of buildings 2 or more stories in height.

Section 903.3.1.2 NFPA 13R sprinkler system shall be amended by adding a new Sections 903.3.1.2.3 and 903.3.1.2.4 to read as follows:

Section 903.3.1.2.3 Attics and Attached Garages. Sprinkler protection is required in attic spaces of such buildings two or more stories in height, in accordance with NFPA 13 and or NFPA 13R requirements, and attached garages.

903.3.1.2.4 Small room rule. When fire sprinkler systems are required, the omission of sprinkler protection of bathrooms per Section 6.8.2 of NFPA 13R-2002 shall not be allowed.

Section 903.3.1.4 Freeze protection shall be added 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.

Section 903.3.5 Water supplies, shall be amended by adding a second paragraph to the end of the section 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 fire protection system shall be designed with a 10 psi safety factor. Reference Section 507.4 for additional design requirements.

Section 903.3.7 Fire department connections, shall be amended by adding the following sentence to the end of the section:

The location of the fire department hose connection shall be approved by the fire department and all new and existing fire department connections shall be marked on the vertical piping

with red reflective paint or tape and on the pavement with blue reflective markers.

Section 903.4 Sprinkler system supervision and alarms, shall be amended by adding 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 system, except for fire department hose connection valves, shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section 903.4.2 Alarms shall be amended to 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.

Section 905.2 Installation standard, shall be amended by adding a sentence to the end of the section to read as follows:

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.

Section 905.3.2 Group A, shall be amended by deleting exceptions 1 and 2 in their entirety.

Section 905.3.4 Stages shall be deleted in its entirety.

Section 905.3 Required installations, shall be amended to 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 and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.

Section 905.4 Location of Class I standpipe hose connections shall be amended to change Item 1, 3, and 5, and add Item 7 to read as follows:

1. In every required 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.
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 exit stairway hose connection by a... {No change to rest.}
4. {No change.}
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located to serve the roof or at the highest landing of an 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.

Section 905.5 Location of Class II standpipe hose connections, shall be deleted in its entirety.

Section 905.6 Location of Class III standpipe hose connections, shall be deleted in its entirety.

Section 905.9 Valve supervision shall be amended by adding 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.

Section 907.1 General shall be amended by adding a new Section 907.1.4 to read as follows:

907.1.4 Design standards. All new alarm systems shall be addressable fire detection systems. Alarm systems serving more than 20 smoke detectors shall be analog intelligent addressable fire detection systems.

Exception: Existing systems need not comply unless the total building or remodel or expansion initiated after the effective date of the Building Code, as adopted, exceeds 30-percent of the building.

Section 907.2.1 Group A shall be changed 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 having an occupant load of 300 or more persons or 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.

Section 907.2.3 Group E shall be amended to read as follows:

907.2.3 Group E. A manual and automatic 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 feet 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: {*unchanged.*}

Section 907.2.3 Group E shall be further amended by adding a new "1.1" to exception 1 to read as follows:

1.1 Residential in-home day-care operations 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 of the Building Code.)

Section 907.2.6 Group I shall be amended to read as follows:

907.2.6 Group I. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group I occupancies. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be provided in accordance with Sections 907.2.6.1, 907.2.6.2, 907.2.6.3.3 and 907.2.6.4.

Exceptions: {*unchanged.*}

Section 907.2.6 Group I shall be further amended by adding 907.2.6.4 as follows:

907.2.6.4 Group I-4 Occupancies. An approved smoke detection system shall be installed in Group I-4 occupancies. Where automatic fire sprinklers are not provided, a full-coverage smoke detection system shall be provided in all Group I-4 occupancies.

Section 907.2.12.4 Emergency voice/alarm communication system, shall be amended to read as follows:

907.2.12.4. Emergency voice/alarm communication system. The operation of any automatic fire detector, sprinkler water flow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions on a general or selective basis to the following terminal areas on a minimum of the alarming floor above, and the floor below in accordance with the building's fire safety and evacuation plans required by Section 404 of the Fire Code as adopted and amended by the Code of Ordinances.

1. Elevator lobbies.
2. Corridors.
3. Rooms and tenant spaces exceeding 1,000 square feet in area.
4. Dwelling units or sleeping units in Group R-2 occupancies.
5. Sleeping units in Group R-1 occupancies.
6. Areas of refuge as defined in Section 1002 of the Building Code.

Section 907.2.13 High-rise buildings, shall be amended to read as follows:

907.2.13 High-rise buildings. In buildings that have any floor located more than 55 feet above the lowest level of fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water flow devices.
3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems.

Section 907.2.13, High-rise buildings. Exception 3 shall be changed 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.

Section 907.4 Initiation devices, shall be amended by adding a second sentence to the end of the section to read as follows:

Manual alarm actuating devices shall be an approved double-action type.

Section 907.4.2 Manual fire alarm boxes, shall be amended to 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.

Section 907.6. 1 Wiring shall be amended to read as follows:

907.6.1 Wiring. 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 initiating circuit conductors shall be Class "A" wired with a minimum of six feet separation between supply and return circuit conductors. IDC - Class "A" Style D; SLC - Class "A" Style 6; NAC - Class "B" Style Y. The IDC from an addressable device used to monitor the status of a suppression system may be wired Class B, Style B provided the distance from the addressable device is within 10-feet of the suppression system device.

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.

Section 907.6.3 Initiation device identification, shall be amended to delete all four Exceptions.

Section 907.6.6 Monitoring, shall be amended to add sentence at end of paragraph to read as follows:

See 907.6.3 for the required information transmitted to the

supervising station.

Section 909.22 Stairway or ramp pressurization alternative, is added to read as follows:

909.22 Stairway or ramp pressurization alternative. Where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and the stair pressurization alternative is chosen for compliance with Building Code requirements for a smokeproof enclosure, interior exit stairways or ramps shall be pressurized to a minimum of 0.10 inches of water (25 Pa) and a maximum of 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect. Such systems shall comply with Section 909, including the installation of a separate fire-fighter's smoke control panel as per Section 909.16, and a Smoke Control Permit shall be required from the Fire Department as per Section 105.7.

909.22.1 Ventilating equipment. The activation of ventilating equipment for the stair or ramp pressurization system shall be by smoke detectors installed at each floor level at an approved location at the entrance to the smokeproof enclosure. When the closing device for the stairway or ramp shaft and vestibule doors is activated by smoke detection or power failure, mechanical equipment shall activate and operate at the required performance levels. Smoke detectors shall be installed in accordance with Section 907.3.

909.22.1.1 Ventilation systems. Smokeproof enclosure ventilation systems shall be independent of other building ventilation systems. The equipment, control wiring, power wiring and ductwork shall comply with one of the following:

1. Equipment, control wiring, power wiring and ductwork shall be located exterior to the building and directly connected to the smokeproof enclosure or connected to the smokeproof enclosure by ductwork enclosed by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.
2. Equipment, control wiring, power wiring and ductwork shall be located within the smokeproof enclosure with intake or exhaust directly from and to the outside or through ductwork enclosed by not less than 2-hour barriers

constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

3. Equipment, control wiring, power wiring and ductwork shall be located within the building if separated from the remainder of the building, including other mechanical equipment, by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

Exceptions:

1. Control wiring and power wiring utilizing a 2-hour rated cable or cable system.

2. Where encased with not less than 2 inches (51 mm) of concrete.

3. Control wiring and power wiring protected by a listed electrical circuit protective systems with a fire-resistance rating of not less than 2 hours.

909.22.1.2 Standby power. Mechanical vestibule and stairway and ramp shaft ventilation systems and automatic fire detection systems shall be provided with standby power in accordance with Section 2702 of the Building Code.

909.22.1.3 Acceptance and testing. Before the mechanical equipment is approved, the system shall be tested in the presence of the fire code official to confirm that the system is operating in compliance with these requirements.

Section 910.2 Where required, shall be amended to change Exception 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 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.

Section 910.3 Smoke and heat vents, shall be amended to add section 910.3.4 to read as follows:

910.3.4 Vent operation. Smoke and heat vents shall be capable of

being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

910.3.4.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically.

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only system per 910.2

910.3.4.2 Nonsprinklered buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Listed gravity-operated drop out vents.

Section 910.4.3.1 Makeup air shall be changed 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 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.

Section 910.4.4 Activation shall be changed to read as follows:

910.4.4 Activation. The mechanical smoke removal system shall be activated automatically by the automatic sprinkler system or by an approved fire detection system. Individual manual controls shall also be provided.

Exception: Manual only systems per Section 910.2.

Section 1004.1.2 Areas without fixed seating shall be amended by deleting the exception in its entirety.

Section 1006.2.2.6 Electrical rooms, shall be added follows:

1006.2.2.6 Electrical rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

Section 1009.1 Accessible means of egress required, shall be amended by adding a new exception to read as follows:

4. Buildings regulated under state law and built in accordance with state registered plans, including any variances or waivers granted by the state, shall be deemed to be in compliance with the requirements of Section 1007 of the Building Code.

Section 1010.1.9.4 Bolt Locks is amended by amending 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}*

Section 1015.8 Window Openings shall be amended to revise text as follows:

First paragraph unchanged

1. Operable windows where the top of the sill of the opening is located more than 55 feet (16 764 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F 2006.

Balance unchanged

Section 1020.1 Construction shall be amended by adding new exceptions 6 and 7 to read as follows:

6. Corridor walls and ceilings need not be fire-resistive construction within a single-tenant space in other than A, E or H occupancies when the tenant space is equipped with an automatic smoke detector system installed within the corridor in accordance with the smoke detector's listing. The actuation of any detector shall activate alarms audible in all areas served by the corridor. The smoke detection system shall be connected to the building's fire alarm system where such a system is provided.

7. In 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 an approved automatic smoke detection system within the corridor. The actuation of any detector shall activate self-annunciating alarms audible in all areas served by the corridor. Smoke detectors shall be connected to an approved automatic fire alarm system where such system is provided.

Section 1025.1 General, shall be amended to read as follows:

1025.1 General. Approved luminous egress path markings delineating the exit path shall be provided in high-rise buildings of Groups A, B, E, I, M and R-1 occupancies in accordance with Sections 1025.1 thru 1025.5 of the Building Code.

Exceptions:

1. Luminous egress path markings shall not be required on the level of exit discharge in lobbies that serve as part of the exit path in accordance with Section 1027.1, exception 1.
2. Luminous egress path markings shall not be required in areas of open parking garages that serve as part of the exit path in accordance with Section 1027.1, exception.

Section 1029.1.1.1 Spaces under grandstands and bleachers shall be deleted in its entirety.

Section 1101.1 Scope shall be amended to add exception to read 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.

Section 1101.2 Design shall be amended to add an exception to read as follows:

Exception: Buildings regulated under state law and built in accordance with state registered plans, including any variances or waivers granted by the state, shall be deemed to be in compliance with the requirements of this chapter of the Building Code.

Section 1203.1 General shall be amended to read as follows:

1203.1 General. Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical

ventilation in accordance with the International Mechanical Code.

Where air infiltration rate in a dwelling unit is 5 air changes or less per hour when tested with a blower door at a pressure 0.2 inch w.c. (50 Pa) in accordance with Section 402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403 of the International Mechanical Code.

1405.3 Vapor retarders, is amended to add the following sentences to the section:

In all framed walls, floors and roofs/ceilings comprising elements of the building thermal envelope, a vapor retarder, when installed, shall be installed in a manner so as to not trap moisture. Vapor retarders shall be tested in accordance with ASTM E 96.

Table 1505.1 Minimum Roof Covering Classification for Types of Construction shall be amended by replacing footnote "b" adding "d" as follows:

b. Nonclassified roof coverings shall be permitted on buildings of U occupancies having not more than 120 square feet of projected roof area. When exceeding 120 square feet of projected roof area, buildings of U occupancies may use nonrated, noncombustible roof coverings.

d. All individual replacement shingles or shakes shall comply with the rating required by this table.

Section 1505.7 Special purpose roofs, shall be deleted in its entirety.

Section 1511.1 General shall be amended to read as follows:

1511.1 General. Materials and methods of applications used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15. All individual replacement shingles or shakes shall be in compliance with the rating required by Table 1505.1.

{text of exception unchanged}

Section 1612 Flood Load shall be deleted in its entirety.

Section 1704.2, Special inspections and tests shall be amended to read as follows:

1704.2 Special inspections and tests. Where application is made to the Building Official for construction as specified in Section 105, the owner or the owner's authorized agent, or the registered design professional in responsible charge, other than the contractor, shall employ one or more approved agencies to provide special inspections and tests during construction on the types of work listed under Section 1705 and identify the approved agencies to the Building Official. The special inspector shall not be employed by the contractor. These special inspections and tests are in addition to the inspections identified by the Building Official that are identified in Section 110.

Section 1704.2.1 Special inspector qualifications shall be amended to read as follows:

1704.2.1 Special inspector qualifications. Prior to the start of construction and or upon request, the approved agencies shall provide written documentation to the registered design professional in responsible charge and the building official demonstrating the competence and relevant experience or training of the special inspectors who will perform the special inspections and tests during construction. *[Remainder unchanged]*

Section 1704.2.4 Report requirement shall be amended to read as follows:

1704.2.4 Report requirement. Approved agencies shall keep records of special inspections and tests. The approved agency shall submit reports of special inspections and tests to the Building Official upon request, and to the registered design professional in responsible charge. Individual inspection reports shall indicate that work inspected or tested was or was not completed in conformance to approved construction documents. *[Remainder unchanged]*

Section 1704.2.5.2 Fabricator approval shall be amended to read as follows:

1704.2.5.1 Fabricator approval. Special inspections during fabrications required by Section 1704 are not required where the work is done on the premises of a fabricator registered and approved to perform such work without special inspection. Approval shall be based upon review of the fabricator's written procedural and quality control manuals and periodic auditing of fabrication practices by an approved agency, or a fabricator that is enrolled in a nationally accepted inspections program. At completion of

fabrication, the acceptable or approved fabricator shall submit a certificate of compliance to the owner or the owner's authorized agent or the registered design professional in responsible charge stating that the work was performed in accordance with the approved construction documents. The certificate of compliance shall also be made available to the Building Official upon request.

Section 1801.2 Design Basis shall be amended by adding new Sections 108.2.2 and 1801.2.3 to read as follows:

1801.2.2 Foundation repairs. All foundation repairs that exceed \$2,000.00 shall be designed and monitored by an engineer licensed in the state.

1801.2.3 Foundations over 1,000 square feet. All commercial foundations supporting an area of 1,000 square feet or more shall be designed by an engineer licensed in the state.

Section 1803.1 General is amended by adding the following sentences to the end of the section to read as follows:

The requirements for protection of adjacent property and the depth to which the protection is required shall be defined by prevailing law. Lateral support of adjoining property is of a civil nature between adjoining property owners.

Section 1804.4 Site Grading is amended to add the following:

Grading and drainage shall be designed and maintained in conformance with the City of Garland Technical Standards Manual.

Section 2308.2 Limitations shall be amended by adding a new Section 2308.2.7 to read as follows:

2308.2.7 Application to engineered design. When accepted by the Building Official, any portion of this section is permitted to apply to buildings that are otherwise outside the limitations of this section provided that:

1. The resulting design will comply with the requirements specified in Chapter 16 of the Building Code;
2. The load limitations of various elements of this section are not exceeded; and

3. The portions of this section which will apply are identified by an engineer in the construction documents.

Section 2902.1 Minimum number of fixtures shall be amended to read as follows:

2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided in the minimum number as shown in Table 2902.1 based on the actual use of the building or space. Uses not shown in Table 2902.1 shall be considered individually by the building official. The number of occupants shall be determined by this code. 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.

Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as follows:

1. Assembly occupancies: at least one drinking fountain shall be provided at each floor level in an approved location.
Exception: a drinking fountain need not be provided in a drinking or dining establishment.
2. Groups A, B, F, H, I, M and S occupancies: buildings or portions thereof where persons are employed shall be provided with at least one water closet for each sex except as provided for in Section 2902.2 of the Building Code.
3. Group E occupancies: shall be provided with fixtures as shown in Table 2902.1 of the Building Code.
4. Group R occupancies: shall be provided with fixtures as shown in Table 2902.1 of the Building Code.

Table 2902.1 Minimum Number of Required Plumbing Fixtures shall be amended to add footnote "f" to read as follows:

f. 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.

Section 2902.1.3 Additional fixtures for food preparation facilities shall be added to read as follows:

2902.1.3 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.

2902.1.3.1 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.

2902.1.3.2 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.

Section 3002.1 Hoistway Enclosure Protection shall be amended to add exceptions to read as follows:

Exceptions:

1. Elevators wholly located within atriums complying with Section 404 shall not require hoistway enclosure protection.
2. Elevators in open or enclosed parking garages that serve only the parking garage, and complying with Sections 406.5 and 406.6, respectively, shall not require hoistway enclosure protection.

Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces, shall be amended by altering the first sentence in this section to read as follows:

Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces Elevator machine rooms, control rooms, control spaces and machinery spaces shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both.

[Remainder unchanged]

Section 3005.7 Fire protection in machine rooms, control rooms, machinery spaces and control spaces shall be added to read as follows:

3005.7 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.

3005.7.1 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 3005.7.2.1.

3005.7.2 Prohibited locations. Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoist-ways.

3005.7.3 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.

3005.7.4 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.

3005.7.5 Shunt trip. Means for elevator shutdown in accordance with Section 3005.5 shall not be installed.

Section 3005.8 Storage, shall be added to read 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."

Section 3006.2, Hoistway opening protection required, condition #5 shall be amended to read as follows:

5. The building is a high rise and the elevator hoistway is more than 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.

Section 3106 Marquees shall be deleted in its entirety.

Section 3107 Signs shall be deleted in its entirety.

Section 3307.1 Protection required shall be amended to read as follows:

3307.1 Protection of adjoining property. The requirements for protection of adjacent property and the depth to which the

protection is required shall be defined by prevailing law. Lateral support of adjoining property is of a civil nature between adjoining property owners.

Section 3

Section 30.17 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby deleted and removed in its entirety.

Section 4

Section 30.22 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.22 Definitions

In this article:

Building Code means the International Building Code, 2015 edition, promulgated by the International Code Council and adopted by the City Council.

Section 5

Section 30.40 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.40 Adoption of the National Electrical Code

- (A) The National Electrical Code, 2014 edition, is hereby adopted by reference. One (1) copy is to remain on file in the City Secretary's office. Unless deleted, amended, expanded or otherwise changed herein, all provisions of this Code shall be fully applicable, binding, and of full force and effect.
- (B) These regulations shall be known as the "Electrical Code," may be cited as such, and will be referred to herein as "this Code."
- (C) Amendments, modifications and deletion. The following articles of the National Electrical Code adopted by subsection (A) of this section are amended, modified or deleted as follows:

Article 90.1 "Purpose" be amended by adding subsection (D) "Conflicting Provisions" as follows:

(D) Conflicting Provisions. Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

Article 90.2 "Scope" is amended by adding subsection (D) "Alternate materials and methods of construction" as follows:

(D) Alternate materials and methods of construction.

(1) The provisions of this Code are not intended to prevent the use of any material or method of construction not specifically prescribed in this Code, provided any alternate has been approved and its use authorized by the Building Official.

(2) The Building Official may approve any alternate material or method of construction, provided he finds that the proposed design is satisfactory, complies with the provisions of this Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in suitability, strength, effectiveness, fire resistance, durability and safety.

(3) The Building Official shall require any person seeking approval of an alternate material or method of construction to provide sufficient evidence or proof that the alternate material or method of construction satisfies the requirement of subsection (B) above. Provided, however, that the approval or authorization of any alternate shall not be construed as warranting or representing the safety of any approved alternate.

Article 90.4 "Enforcement" shall be amended by adding subsection (A) "Modifications" as follows:

(A) Modifications. The electrical regulations of this article may be modified or waived in writing by the Building Official pursuant to section 90.4 of the Electrical Code provided he shall first find that:

(1) A special individual reason makes the strict letter of this Code impractical;

(2) The modification is in conformity with the intent and purpose of this Code; and

(3) That such modification does not lessen health, life

and fire safety requirements.

Any waiver or modification shall be obtained from the Building Official prior to starting the work, and a copy of the modification or waiver shall be filed in the office of the Building Official by the applicant.

Article 90.4 "Enforcement" shall be amended by adding subsection (B) "Powers and duties of the Building Official" as follows:

(B) Powers and duties of Building Official

(1) General. The Building Official is hereby authorized to enforce all the provisions of this Code, which authority includes, but is not limited to the authority to issue a citation to any person who violates any of its provisions. He shall cause a record to be kept of all permits issued and inspections made.

(2) Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the Building Official may appoint technical officers and inspectors and other employees as shall be authorized from time to time. Such employees shall have powers as delegated by the Building Official.

(3) Conflict of interest. It shall be unlawful for an employee of the Building Inspection Department to engage in the business of selling, installing, or maintenance of electrical fixtures, devices, equipment or materials, and they shall have no financial interest in any concern engaged in such business at any time while employed by the City.

(4) Right of entry.

(a) Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official or his authorized representative, in accordance with applicable law, may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by such Codes, provided that if such building or premises be occupied, he shall first present proper credentials and request entry. If such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry be refused, the Building Official or his authorized representative shall have

recourse to every remedy provided by law to secure entry.

(b) When the Building Official or his authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official or his authorized representative for the purpose of inspection and examination pursuant to this Code.

(5) Notice.

(a) When any order or notice is issued pursuant to the provisions of this Code to any person who cannot be found after a reasonable search, such order or notice may be served by posting it in a conspicuous place upon the premises occupied by him or upon the premises where the defects are alleged to exist. Such posting of the notice shall be considered equivalent to personal service of such order or notice. An order sent by mail in a sealed envelope with postage prepaid and directed to the address of the electrical contractor, owner, lessee, or occupant of the premises shall be equivalent to personal service of such order.

(b) Inspectors are hereby empowered to attach to the nearest electrical cabinet or equipment feeding defective or hazardous wiring, any official notice or seal to prevent use of electricity in that area, and it shall be unlawful for any other person to place or attach such seal, or to break, change, destroy, tear, mutilate, cover or otherwise deface or injure any such official notice or seal posted by an inspector.

(6) Stop orders. Whenever any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

(7) Authority to disconnect utilities in emergencies. The Building Official or his authorized representative shall have the authority to disconnect any electric power or energy service supplied to the building, structure or building service equipment therein regulated by this Code in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

(8) Authority to condemn electrical system and equipment.

(a) Whenever the Building Official ascertains that any electrical system or equipment regulated in this Code has become hazardous to life, health or property, he may order in writing that such electrical system or equipment either be removed or restored to a safe condition, whichever is appropriate. The written notice itself shall fix a time limit for compliance with such order. No person shall use or maintain defective electrical system or equipment after receiving such notice.

(b) When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefor shall be given within 24 hours of the order to disconnect to the serving utility, the owner and occupant of such building, structure or premises.

(c) When any electrical system or equipment is maintained in violation of this Code and in violation of any notice issued pursuant to the provisions of this section, the Building Official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

(9) Connection after order to disconnect. No person shall make connections from any energy or power supply nor supply power to any electrical system or equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such electrical system or equipment.

(10) Liability.

(a) The Building Official, or his authorized representative charged with the enforcement of this Code, acting in good faith and without malice in the discharge of his duties, shall not thereby render himself personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of his duties. Any suit brought against the Building Official or employee because of such act or omission performed by him in the enforcement of any provision of this Code shall be defended by legal counsel provided by this jurisdiction until final termination of such proceedings.

(b) This Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by the

Code or approvals issued under this Code.

(11) Cooperation of other officials and officers. The Building Official may request, and shall receive so far as is required in the discharge of his duties, the assistance and cooperation of other officials of this jurisdiction.

Article 110.3 (B) "Installation and Use" shall be amended by adding subsection (A) "Unsafe electrical systems or equipment" as follows:

(A) Unsafe electrical systems or equipment.

(1) All electrical systems or equipment regulated by this Code which constitute a fire hazard or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of electrical systems or equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

(2) All such unsafe electrical systems or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in Article II of Chapter 30 or Article I of Chapter 32 of the Code of Ordinances of the City of Garland, as applicable, or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of the City as designated by the governing body may institute any other appropriate action to prevent, restrain, correct or abate the violation.

Article 90.4 "Enforcement" shall be amended by adding subsection (C) "Violations" as follows:

(C) Violations. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any electrical system or equipment or cause or permit the same to be done in violation of this Code. Any violation of this Code is a misdemeanor and shall be punishable as provided by Section 10.05 of the Code of Ordinances of the City of Garland. The issuance or granting of a permit or approval of plans and specifications or the completion or approval of an inspection shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code. No permit presuming to give authority to violate or cancel the provisions of this Code shall be

valid, except insofar as the work or use which is authorized is lawful.

Article 90.4 "Enforcement" shall be amended by adding subsection (D) "Appeals" as follows:

(D) Appeals. Any person aggrieved by any decision or ruling made by the Building Official under the provisions of this Code may appeal to the Electrical Board (the "board").

(1) Time for filing appeal/grounds. The appeal must be in writing and received in the office of the Building Official within thirty (30) days of the decision or ruling to be appealed, and must set forth the specific grounds for the appeal. The Building Official shall forward the appeal to the board, along with all information constituting the record upon which the decision was made.

(2) Notice of hearing. The board shall meet upon notice from the chairman and within thirty (30) days of the date the appeal was filed.

(3) Decision of board. The board shall render a written decision reversing, affirming or modifying the decision, in whole or in part, within thirty (30) days of the hearing, and may issue appropriate orders consistent with its decision. All decisions of the board shall be by a majority vote, and reflect how each of the board members participating in the decision voted. The decision of the board shall be filed promptly in the office of the Building Official and the City Secretary's office. The Building Official shall be responsible for the enforcement of the board's decisions.

Article 90.4 "Enforcement" shall be amended by adding subsection (E) "Board composition/powers and duties" as follows:

(E) Board composition/powers and duties.

(1) Composition. The "Electrical Board" (the "board") shall consist of nine (9) voting members who shall be appointed by the City Council. The appointive members of the board shall consist of qualified electrical professionals such as electrical contractors, licensed electricians, inspectors, professional engineers and electrical designers. The term of office for members of the board shall be two (2) years. The Building Official or his designee shall be an ex officio member of the board, without voting privileges.

(2) Compensation. The appointive members of the board

shall serve without compensation.

(3) Secretary. The Building Official or his designee shall act as secretary to the board, and shall be responsible for keeping written minutes of the meeting.

(4) Election of officers. An annual election of the chairman and vice chairman of the board shall be held during the first meeting after September 1 of each year.

(5) Powers and duties.

(a) Generally. The board shall meet upon call of the chairman to consider proposed revisions to this Code and as needed for the consideration of appeals of decisions of the Building Official.

(b) Amendments. The board shall recommend to the City Council amendments to this Code, when such amendments are deemed appropriate or desirable for the protection of the public health, safety and welfare. Any interested person may submit proposed amendments to the board. The board shall consider the recommendation of the Building Official concerning any proposed amendment. In order for the board to recommend an amendment to the City Council, a concurring vote of two-thirds (2/3) of the members of the board present at the meeting is required.

(c) Appeals. The board shall have the authority to hear appeals of decisions or rulings of the Building Official made under the provisions of this Code. In that connection, the board shall have the limited power to determine whether the true intent of this Code and the rules adopted thereunder have been correctly interpreted, whether the provisions of this Code apply fully, or whether an equally good or better form or construction or material was proposed and may be used. The board shall have no power to limit, modify, change or waive any requirement of this Code.

Article 90 "Introduction" be amended by adding Article 90.10 "Electrical Licensing and Registration" as follows.

90.10 Electrical Licensing and Registration.

(A) License Required

(1) Every person engaged in the construction, installation, maintenance, extension, repairing or replacement of electrical wiring, apparatus or equipment that performs work prescribed by a person, firm or corporation registered under the provisions of this Article must have on their person proof of

an electrical license, electrical apprentice or electrical sign apprentice license issued by the Texas Department of Licensing and Regulation.

(2) It shall be unlawful for a person, firm or corporation registered with the City of Garland to engage in any phase of the electrical business or perform any work in the electrical trade other than such business or work authorized by the registration, the class of license or the permit held by that person, provided, however, that an apprentice electrician or apprentice sign electrician may perform electrical work prescribed for him when issued an Electrical Apprentice License by the Texas Department of Licensing and Regulation enabling said holder to do such work, and then only when in the presence of and being supervised by an electrician with the proper electrical license issued by the Texas Department of Licensing and Regulation.

(3) A properly licensed electrician is required to be on the same platted lot as the work which is taking place and for the apprentice to know how to quickly locate the properly licensed electrician. All electricians on the jobsite must have a valid TDLR issued electricians apprentice registration or wireman, journeyman, or master electricians license.

(4) A journeyman, or master electrician must be present on the jobsite at all times when electrical work is being performed.

(B) Registration Required

(1) Any person providing services as an electrical contractor in the City must register with the Building Inspection Department as a contractor. To register with the City as a contractor, application shall be made in writing on forms furnished for that purpose and filed with the Building Official. The application shall show the contractor's name, local address and telephone number, a copy of the applicant's state electrical contractor's license, and such other information as may reasonably be required to properly identify the contractor. Such application shall be accompanied by the fee prescribed in the fee schedule located in section 30.301 of this Code.

(2) Except as provided in subsection (3), all provisions of the Texas Electrical Safety and Licensing Act, found in the State Occupations Code, title 8, chapter 1305 and the Administrative Rules of the state department of licensing and regulation, 16 Texas Administrative Code, chapter 73 shall be in full force within the City.

(3) Any electrical license or registration issued by the

City which has not expired by the adoption date of the ordinance codified in this article shall remain valid and in full effect until the expiration date of said license. Upon the expiration date of said license, the City will not renew or honor the rights previously granted by the license. When all such licenses are expired, the electrical licensing program of the City shall cease.

Article 90 "Introduction" is amended by adding Article 90.11 "Permits" as follows:

90.11 Permits

(A) Permits required. Except as specified in subsection (C) of this section, no electrical system regulated by this Code shall be installed, altered, repaired, replaced or remodeled unless a separate electrical permit for each building or structure has first been obtained from the Building Official, or without first submitting a subcontractor's affidavit form for work authorized under a combined building permit.

(B) Permit non-transferable. It shall be unlawful for any person to lend, rent, or transfer an electrical permit or subcontractor's affidavit, or permit a person without proper license or registration to do the work, or for any person to make use of any such permit or affidavit which is not actually his own, and any such permit obtained or affidavit submitted under these conditions shall be null and void.

(C) Exempt work. An electrical permit shall not be required for the following:

- (1) Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this Code.
- (2) Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
- (3) Temporary decorative lighting.
- (4) Repair or replacement of current-carrying parts of any switch, contactor or control device.
- (5) Reinstallation of attachment plug receptacles, but not the outlets therefor.
- (6) Repair or replacement of any overcurrent device of the required capacity in the same location.

- (7) Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
- (8) Taping joints.
- (9) Removal of electrical wiring.
- (10) Temporary wiring for experimental purposes in suitable commercial and industrial experimental laboratories.
- (11) The wiring for temporary theater, motion picture or television stage sets.
- (12) Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
- (13) Low-energy power, control and signal circuits of classes II and III as defined in this Code.
- (14) A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this Code or any other laws or ordinances.

(D) Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

- (1) Identify and describe the work to be covered by the permit for which application is made.
- (2) Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
- (3) Indicate the use or occupancy for which the proposed work is intended.
- (4) Be accompanied by plans, diagrams, computations and specifications and other data as required in subsection (B) of this section.
- (5) Be signed by permittee, or his authorized agent.
- (6) Give such other data and information as may be required by the Building Official.

(E) Plans and specifications. With each application for a permit, and where required by the Building Official for enforcement of any provision of this Code, plans, specifications

and calculations shall be submitted in the quantity deemed necessary by the Building Official. When deemed necessary by the Building Official to ensure code compliance, the Building Official may require plans and specifications to be prepared and designed by an engineer licensed by the state. All drawings, specifications and accompanying data involved with the practice of engineering, such as structural, mechanical, plumbing, electrical, heating and cooling, energy, fire, life and safety systems, shall comply with state and local laws governing the practice of engineering as required by the Texas Engineering Practice Act, Chapter 1001 of the Texas Occupations Code.

(F) Information on plans and specifications. Plans and specifications shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

(G) Issuance.

(1) The applications, plans and specifications, and other data, filed by an applicant for permit may be reviewed by other departments of the City to determine compliance with any applicable laws under their jurisdiction. If the work described in an application for a permit and the plans, specifications and other data filed therewith conforms to the requirements of this Code and other pertinent laws and ordinances, and the fees prescribed in the fee schedule (section 30.301 of this Code) have been paid, the Building Official may issue a permit therefor to the applicant.

(2) When the Building Official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorizations from the Building Official, and all work shall be done in accordance with the approved plans.

(3) The Building Official may issue a permit for the construction of part of an electrical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his own risk with assurance that the permit for the entire building, structure or building service will be granted.

(H) Retention of plans. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress. One set of approved plans, specifications and computations shall be retained by the Building Official until final approval of the work.

(I) Validity of permit.

(1) The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, or of any other ordinance of the City, nor shall the issuance of a permit or approval of plans be construed as representing or warranting the safety or lack of defects of any electrical work described therein. No permit presuming to give authority to violate or cancel the provisions of these Codes shall be valid.

(2) The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of these Codes or of any other ordinances of the City.

(J) Expiration. An individual permit issued by the Building Official shall expire by limitation and become null and void on the expiration of one (1) year after its issuance if no progress has been made toward the completion of the project, or upon expiration of the project. (A project shall expire immediately after the first anniversary of the date the first permit application was filed for the project if no progress had been made towards completion of the project.) Once a permit for particular work has expired, a new permit must be applied for and obtained before the work can be commenced. The permit fee shall be the full amount required for a new permit for such work. The Building Official or his designee shall determine the extent to which the work must comply with any new regulations that were not in effect at the time the original permit was issued.

(K) Suspension or revocation. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit is issued in error or on the

basis of incorrect information supplied, or in violation of any ordinance or regulation of the City.

Article 90 "Introduction" is amended by adding Article 90.12 "Inspections" as follows:

90.12 Inspections

(A) General. All electrical systems and equipment for which a permit is required by this Code shall be subject to inspection by the Building Official. No portion of any electrical system intended to be concealed shall be concealed until inspected and approved. Neither the Building Official nor the City shall be liable for expense entailed in the removal or replacement of any material necessary to allow inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this Code shall not be connected to the energy source until authorized by the Building Official.

(B) Inspection requests.

(1) It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing, online, or by telephone at the option of the Building Official.

(2) It shall be the duty of the person requesting inspections required by this Code to provide access to and means for proper inspection of such work.

(C) Operation of electrical equipment. The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The request for inspection of such equipment must have been filed with the Building Official not more than 48 hours after such replacement work is completed and before any portion of such electrical system is concealed by any permanent portion of the building.

(D) Other inspections. In addition to the called inspections required by this Code, the Building Official may make or require other inspections of any work to ascertain compliance with the

provisions of this Code and other laws which are enforced by the code enforcement agency.

(E) Re-inspections.

(1) A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when required corrections are not made.

(2) This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection or when required corrections are not made.

(3) Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.

(4) The applicant shall pay the reinspection fee prior to requesting a reinspection.

(5) In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

(6) On the first offense, the inspection is refused, failed and a re-inspection fee is assessed. If there are subsequent violations, additional action may be taken ranging from citations to suspension of the City of Garland Electrical Contractors Business Registration.

Article 90 "Introduction" is amended by adding Article 90.13 "Connection to Electric Utilities" as follows:

90.13 Connection to Electric Utilities

(A) Energy connections. An electrical system or equipment regulated by this Code for which a permit is required shall not be connected to a source of energy or power until approved by the Building Official.

(B) Temporary connections. The Building Official may authorize the temporary connection of the electrical system or equipment to the source of energy or power for the purpose of testing the equipment, or for the use under a temporary

certificate of occupancy. The temporary wiring shall not be left energized while unattended.

Article 90 "Introduction" is amended by adding Article 90.14 "Working Hours" as follows:

90.14 Working hours

(A) Hours established. Any outside work being done adjacent to an occupied residential subdivision or adjacent to an occupied residential use, including multifamily uses, shall be allowed only between 7:00 a.m. and 8:00 p.m. each day of the week. Any outside work being done adjacent to an occupied residential subdivision or adjacent to an occupied residential use, including multifamily uses, shall be prohibited between 8:00 p.m. and 7:00 a.m. each day of the week.

(B) Other regulations unaffected. This section does not authorize violation of any other legally established regulation, either public or private, regulating noise nuisance to residents.

(C) Exceptions. These regulations do not affect emergency work being done to secure a structure or to reestablish utility service to a structure.

(D) Variance. The Director of Health, in accordance with section 22.76 of the Code of Ordinances of the City of Garland, may issue a permit of variance to these regulations.

Chapter 1 "General", Article 100 "Definitions", I. "General" shall be amended by adding the following definitions:

Approved, as to materials, equipment and method of construction, refers to approval by the Building Official as the result of investigation and tests conducted by him, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

Approved agency is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the Building Official.

Building Code is the Building Code as adopted by the City.

Building Official is the officer charged with the administration

and enforcement of this Code, or his duly authorized representative, and is the authority having jurisdiction for this Code.

Electrical Code is the National Electrical Code promulgated by the National Fire Protection Association, as adopted by the City.

Electrical system. In this article, any reference to electrical system shall mean electrical conductors, equipment, and raceways; signaling and communications conductors, equipment, and raceways; and optical fiber cables and raceways.

Multiple occupancy building is a building having more than one tenant and may be of single or mixed use groups as classified by the Building Code.

Article 110.3 "Examination, Identification, Installation, and Use of Equipment" shall be amended by adding subsection (C) through (K) as follows.

(C) Testing:

(1) Whenever there is insufficient evidence of compliance with any of the provisions of this Code, or evidence that materials or construction do not conform to the requirements of this Code, the Building Official may require tests as evidence of compliance to be made at the sole expense of the person providing such materials or performing such construction.

(2) Test methods shall be as specified by this Code or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the Building Official may determine test procedures.

(3) All tests shall be made by an approved agency and a report indicating the results of such tests filed with the Building Official. Reports of such tests shall be retained by the Building Official for a period deemed appropriate by the Building Official.

(D) Additions, alterations or repairs.

(1) Additions, alterations or repairs may be made to any electrical system and equipment without requiring the entire existing electrical system to be upgraded to meet this Code, provided that any addition, alteration or repair conforms to the requirements for a new electrical system and provided further that no hazard to life, health or safety will be created

by such additions, alterations or repairs.

(2) Minor additions, alterations and repairs to existing electrical systems and equipment may be made in accordance with the law in effect at the time the original installation was made, when approved by the Building Official.

(E) Existing installations. Electrical systems and equipment lawfully in existence at the time of the adoption of this Code may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property has been created by such electrical system and equipment. Except in regards to electrical service, meter base, panel and breakers that are being replaced -repaired, whereas the replacement -repair would need to meet 2014 NEC and utility service provider specifications. Example # 1. If existing panel was in a closet the new panel may not be installed in a closet. Example # 2 .If meter base is repaired or replaced the height must be installed per utility company specifications. Example # 3. If overhead service being repaired or replaced the point of attachment may not be lower than 2014 NEC standards and meet utility company requirements. Example # 4. Existing panel must be grounded and if the existing panel is the first means of disconnect it must have no more than 6 disconnecting means to remove power from all circuits.

(F) Change in building occupancy. Electrical systems and equipment which are a part of any building or structure undergoing a change in use or occupancy, as defined in the Building Code, shall comply with the requirements of this Code which are applicable to the new use or occupancy.

(G) Maintenance. All electrical systems and equipment, both existing and new, and all parts thereof shall be maintained in a proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards which are required by this Code shall be maintained in conformance with this Code. The owner or his designated agent shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the Building Official may cause any electrical system to be reinspected.

(H) Moved building. Electrical systems and equipment which are a part of buildings or structures moved into or within the City shall comply with the provisions of this Code for new installations.

(I) Appliances in attics. Attics containing appliances requiring access for maintenance, repair, or replacement shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall not be less than 30 inches high and 22 inches wide and not more than 20 feet in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous unobstructed solid flooring not less than 22 inches wide. A level service space not less than 30 inches deep and 30 inches wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches or shall be larger where such dimensions are not large enough to allow removal of the largest appliance. As a minimum, access to the attic space shall be provided by one of the following:

1. A permanent stair;
2. A pull down stair with a minimum 300 lb. capacity;
3. An access door from an upper floor level; or
4. An access panel may be used in lieu of items 1, 2, or 3 with prior approval of the Building Official due to building conditions.

Exception: The passageway and level service space are not required where the appliance is capable of being removed through the required

(J) Equipment and appliances on roofs or elevated structures. Where equipment or appliances requiring access for maintenance, repair, or replacement are installed on roofs or elevated structures at an aggregate height exceeding 16 feet, such access shall be provided by a permanent approved means of access. Permanent exterior ladders providing roof access need not extend closer than 12 feet to the finish grade or floor level below and shall extend to the equipment or appliance's level service space. Such access shall not require climbing over obstructions greater than 30 inches high or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope).

(K) Sloped roofs. Where appliances, equipment, fans or other components that require service for maintenance, repair, or replacement are installed on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches 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 in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter sphere and shall comply with the loading requirements for guards specified in the International Building Code.

Article 230.2 "Number of Services", (A) "Special conditions" is amended by adding a subsection (7) as follows:

(7) In supplying electrical service to multifamily dwellings, two or more laterals or overhead service drops shall be permitted to a building when both of the following conditions are met:

(a) The building has six or more individual gang meters and all meters are grouped at the same location.

(b) Each lateral or overhead service drop originates from the same point of service.

Article 230.70 "General" (1) "Readily Accessible Location" is amended to read as follows:

(1) Ready Accessible Location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside the nearest point of entrance of the service conductors. If located inside, the disconnecting means must be located not more than 5 feet from an exterior wall and a passage door installed to allow access to the equipment. The door must have a permanent sign stating that the electrical disconnecting means is directly inside - ELECTRIC ROOM. Upon entry from the exterior the equipment needs to be insight and readily accessible. Lettering at the exterior door the must be 2" tall and ½" wide and be visible from the utility company power source.

Article 230.71 "Maximum Number of Disconnects", (A) "General" is amended by adding the following exception.

Exception: Multi- occupant buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.

Article 310.15 "Ampacities for Conductors Rated 0-2000 Volts", (B) "Tables", (7) 120/240 Volt, Single-Phase Dwelling Services and Feeders" is amended by adding subsection (5) as follows:

(5) This Article shall not be used in conjunction with Article 220.82.

Article 310.106 "Conductors" (A) Minimum Size Conductors" is amended by amended to read as follows:

(A) Minimum Size of Conductors. The minimum size of conductors shall be shown in Table 310.106 (A), except as permitted elsewhere in this Code. Aluminum and copper-clad aluminum conductors may be used in services and feeders only. The use of aluminum and copper-clad aluminum conductors shall be limited to #1 AWG and larger sizes.

Article 600.6 "Disconnects" (A) "Location" (2) "Within Sight of the Sign" is amended to read as follows:

(2) Within Sight of the Sign. The disconnecting means shall be within sight of the sign or outline lighting system that it controls. Where the disconnecting means is out of line of sight from any section that is able to be energized, the disconnecting means shall be lockable in accordance with 100.25. The disconnecting means shall be readily accessible.

Article 600.6 "Disconnects" (A) "Location" (3) "Within Sight of the Controller" is amended by adding subsection (4) as follows:

(4) The disconnecting means shall be readily accessible.

Article 680.25 "Feeders" (A) "Wiring Methods" (1) "Feeders" is amended by adding the following permissible wiring methods:

- (7) Nonmetallic-sheathed cable
- (8) Type SE cable

Section 6

Section 30.75 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.75 Adoption of the International Mechanical Code

The International Mechanical Code ("Mechanical Code"), 2015 edition, is hereby adopted by reference. A copy shall be kept on file in the office of the City Secretary. Unless deleted, amended, expanded or otherwise changed herein, all provisions of the Mechanical Code shall be fully applicable, binding, and of full force and effect within the City.

Section 7

Section 30.76 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.76 Amendments, modifications, and deletions

The following sections of the International Mechanical Code ("Mechanical Code"), as adopted in section 30.75 above, are amended, modified, or deleted as follows:

Section 102.8 Referenced code and standards, shall be amended 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 or the *National Electrical Code* (NEC) shall mean the Electrical Code as adopted.

Section 304.3 Elevation of ignition source, shall be amended by adding the following exception:

Exception: Elevation of the ignition source is not required for water heaters that are listed as flammable vapor resistant and for installation without elevation.

Section 304.7 Private Garages, shall be deleted in its entirety.

Section 306.3 Appliances in attics, shall be amended to read as follows:

306.3 Appliances in attics. Attics containing appliances requiring access for maintenance, repair, or replacement shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall not be less than 30 inches high and 22 inches wide and not more than 20 feet in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous unobstructed solid flooring not less than 22 inches wide. A level service space not less than 30 inches deep and 30 inches wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches or shall be larger where such dimensions are not large enough to allow removal of the largest appliance. As a minimum, access to the attic space shall be provided by one of the following:

1. A permanent stair;
2. A pull down stair with a minimum 300 lb capacity;
3. An access door from an upper floor level; or
4. An access panel may be used in lieu of items 1, 2, or 3 with prior approval of the Building Official due to building conditions.

Exception: The passageway and level service space are not required where the appliance is capable of being removed through the required opening.

Section 306.5 Equipment and appliances on roofs or elevated structures, shall be amended to read as follows:

306.5 Equipment and appliances on roofs or elevated structures. Where equipment or appliances requiring access for maintenance, repair, or replacement are installed on roofs or elevated structures at an aggregate height exceeding 16 feet, such access shall be provided by a permanent approved means of access. Permanent exterior ladders providing roof access need not extend closer than 12 feet to the finish grade or floor level below and shall extend to the equipment or appliance's level service

space. Such access shall not require climbing over obstructions greater than 30 inches high or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope).

A receptacle outlet shall be provided at or near the equipment and appliance location in accordance with the Electrical Code.

Section 306.5.1 Sloped roofs shall be amended to read as follows:

306.5.1 Sloped roofs. Where appliances, equipment, fans or other components that require service for maintenance, repair, or replacement are installed on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches 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 in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter sphere and shall comply with the loading requirements for guards specified in the International Building Code.

Section 306.6 Water heaters above the ground floor shall be added to read as follows:

306.6 Water heaters above the ground floor. When the mezzanine or platform in which a water heater is installed is more than 8 feet above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A maximum 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet above the ground or floor level and may be reached with a portable ladder.

Section 306.6.1 Convenience lighting and outlet, shall be added to read as follows:

306.6.1 Convenience lighting and outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1 of the Mechanical Code.

Section 307.2.2 Drain pipe material and sizes, shall be amended to read as follows:

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or, where exposed to ultraviolet light, schedule 80 PVC pipe or tubing. All components shall be selected for the pressure, temperature, and exposure rating of the installation. Condensate waste and drain line size shall be not less than 3/4-inch internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with an approved method. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope.

Section 307.2.3 Auxiliary and secondary drain system, shall be amended by amending item 2 to read as follows:

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. The overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

Section 403.2.1Recirculation of air, shall be amended by adding an item 5 to read as follows:

4. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

Section 501.2 Independent system required, shall be amended by adding a third exception to read as follows:

3. Bathroom exhaust ducts may terminate in an attic, warehouse or shop area when infiltration of outside air is present. Vents shall be installed so as not to be blocked by blown insulation or other obstructions.

Section 501.3 Exhaust discharge, shall be amended 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. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

Section 504.6 Makeup air shall be amended by adding a sentence at the end of the paragraph to read as follows:

The size of duct shall not be reduced along its developed length nor at the point of termination.

Section 607.5.1 shall be amended to read as follows:

607.5 .1 Fire Walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 705.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Sections 510.1 thru 510.9 of the Mechanical Code.

Section 8

Section 30.80 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.80 Adoption of the International Plumbing Code

The International Plumbing Code ("Plumbing Code"), 2015 edition, is herewith adopted by reference. A copy of the Plumbing Code shall be kept on file in the office of the City Secretary. Unless deleted, amended, expanded or otherwise changed herein, all provisions of the Plumbing Code shall be fully applicable and binding and of full force and effect within the City. This adoption includes appendices B, D, and E of the Plumbing Code.

Section 9

Section 30.81 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.81 Amendments, modifications, and deletions

The following sections of the International Plumbing Code ("Plumbing Code"), as adopted in section 30.80, are amended, modified, or deleted as follows:

Section 102.8 Referenced codes and standards shall be amended 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 or the *National Electrical Code* (NEC) shall mean the Electrical Code as adopted.

Section 305.4.1 Sewer depth shall be amended to read as follows:

305.4.1 Sewer depth. Building sewers shall be a minimum of 12 inches (304 mm) below grade.

Section 305.7 protection of components of plumbing system shall be amended to read as follows:

305.7 Protection of components of plumbing system. Components of a plumbing system installed within 3 feet along alleyways, driveways, parking garages or other locations in a manner in which they could be exposed to damage shall be recessed into the wall or otherwise protected in an *approved* manner.

Section 305.10 Exterior hydrants shall be amended by adding a new Section to read as follows:

305.10 Exterior hydrants. Exterior hydrants installed through the walls shall be installed with a copper or brass pipe nipple from the threaded female drop ear ninety-degree elbow to the water hydrants with an appropriate vacuum breaker. Frost-proof hydrants shall be installed when subject to freezing.

Section 312.2 Drainage and vent water test shall be amended to read as follows:

312.2 Drainage and vent water test. A water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest opening of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 5 foot head of water. In testing successive sections, at least the upper 5 feet of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 5 feet of the system shall have been submitted to a test of less than 5 foot head of water. The water shall be kept in the system, or in the portion under test, for at least 15 minutes before inspection starts. The system shall then be tight at all points.

Section 312.9.2 Inspection and testing of backflow prevention assemblies shall be amended by adding a new Section to read as follows:

312.9.2 Inspection and testing of backflow prevention assemblies.

Testing shall comply with the City's cross-connection control regulations. Cross-connection control regulations are set forth in article V, chapter 51 of the Code of Ordinances.

Section 312.10.1 Inspections shall be amended to read as follows:

312.10.1 Inspections. Annual inspections shall be made of all backflow prevention assemblies and air gaps to determine whether they are operable. In the absence of an authorized inspection by the City, the owner is responsible to ensure that proper testing is performed.

Section 312.10.2 Testing shall be amended to read as follows:

312.10.2 Testing. Reduced pressure principle backflow preventer assemblies, double check-valve assemblies, pressure vacuum breaker assemblies, reduced pressure detector fire protection backflow prevention assemblies, double check detector fire protection backflow prevention assemblies, hose connection backflow preventers, and spill-proof vacuum breakers shall be tested at the time of installation, immediately after repairs or relocation and at least annually. The testing procedure shall be performed in accordance with applicable local provisions. In the absence of local provisions, the owner is responsible to ensure that testing is done in accordance with one of the following standards: ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, CSA B64.10 or CSA B64.10.1.

Section 314.2.1 Condensate disposal shall be amended to read as follows:

314.2 .1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1-percent slope). Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

Section 314.2.2 Drain pipe material and sizes shall be amended to read as follows:

314.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC, or, where exposed to ultraviolet light, schedule 80 PVC pipe or tubing. All components shall be selected for the

pressure, temperature and exposure rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the Plumbing Code relative to the material type. Condensate waste and drain line size shall not be less than 3/4- inch internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 314.2.2 of the Plumbing Code. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope.

Section 401.1 Scope shall be amended by adding a sentence to read to the end of the section to read as follows:

The provisions of this chapter of the Plumbing Code are meant to work in coordination with the provisions of the Building Code. Should any conflicts arise between these two codes, the Building Official shall determine which provision will control, the presumption being that the more restrictive provision will apply.

Section 403.1 Minimum number of fixtures shall be amended to read as follows:

403.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as follows:

1. Assembly occupancies. At least one drinking fountain shall be provided at each floor level in an approved location.

Exception: A drinking fountain need not be provided in a drinking or dining establishment.

2. Groups A, B, F, H, I, M and S occupancies: Buildings or portions thereof where persons are employed shall be provided with at least one water closet for each sex except as provided for in Section 403.2.
3. Group E occupancies: Shall be provided with fixtures as shown in Table 403.1.
4. Group R occupancies: Shall be provided with fixtures as shown in Table 403.1.

It is recommended, but not required, that the minimum number of fixtures provided also comply with the number shown in Table 403.1. Types of occupancies not shown in Table 403.1 shall be

considered individually by the Building Official. The occupancy classification and the number of occupants shall be determined by the Building Code.

Section 410.1 Approval shall be amended to read as follows:

410.1 Approval. Drinking fountains shall conform to ASME A112.19.1M, ASME A112.19.2M or ASME A112.19.9M, and water coolers shall conform to ARI 1010. Drinking fountains and water coolers shall conform to NSF 61, Section 9. (See Section 403 .1 of the Plumbing Code, as adopted and amended, to determine the occupancies that require drinking fountains and water coolers.) Electrically operated, refrigerated drinking water coolers shall be listed and labeled in accordance with UL 399.

Section 412.2.1 Required location shall be added to read as follows:

412.2.1 Required location. Floor drains shall be installed in the following areas:

1. In public coin-operated 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 in diameter.
2. Commercial kitchens. In lieu of floor drains kitchens the Building Official may accept floor sinks.
3. Public restrooms

Section 417.5.2 Shower lining shall be amended to read as follows:

417.5.2 Shower lining. Floors under shower compartments, except where prefabricated receptors have been provided, shall be lined and made water tight utilizing material complying with Sections 417.5.2.1 thru 417.5.2.5 of the Plumbing Code. Such liners shall turn up on all sides at least 2 inches above the finished threshold level and shall extend outward over the threshold and fastened to the outside of the threshold jamb. Liners shall be recessed and fastened to an approved backing so as not to occupy the space required for wall covering, and shall not be nailed or perforated at any point less than 1 inch above the finished threshold. Liners shall be pitched one-fourth unit vertical in 12 units horizontal (2-percent slope) and shall be sloped toward the fixture drains and be securely fastened to the waste outlet at the seepage entrance, making a water-tight joint between the liner and the outlet. The completed liner shall be tested in accordance with Sections 312.9 and 417.7 of the Plumbing Code.

Section 417.7 Test for shower lining shall be adding as a new Section to read as follows:

417.7 Test for shower lining. Shower receptors shall be tested for water tightness by filling with water to the level of the rough threshold. The drain shall be plugged in a manner so that both sides of pans shall be subjected to the test at the point where it is clamped to the drain.

Section 502.3 Water heaters installed in attics, shall be amended by adding the following to end of the section as follows:

502.3 Water heaters installed in attics. Attics containing a water heater shall be provided with an opening and unobstructed passageway large enough to allow removal of the water heater. The passageway shall not be less than 30 inches in height and 22 inches in width and not more than 20 feet in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous solid flooring not less than 24 inches in width. A level service space not less than 30 inches in length and 30 inches in width shall be present at the front or service side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions be not less than 20 inches by 30 inches (508mm by 762mm) where such dimensions are large enough to allow removal of the water heater. A walkway to an appliance shall be rated as a floor as approved by the building official. 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.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Section 502.6 Water heaters above ground or floor shall be added as a new section as follows:

502.6 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger with

approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

502.6.1 Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 502 .1 of the Plumbing Code.

Section 504.6 Requirement for discharge piping shall be amended to read as follows:

504.6 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.
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 Building Official and permitted by the manufacture's installation instructions and installed per those instructions.

5. Discharge to an indirect waste receptor or to the outdoors. Where discharging to the outdoors in areas subject to freezing, discharge piping shall be first piped to an indirect waste receptor through an air gap located in a conditioned area.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Not terminate less than 6 inches or more than 24 inches above grade.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings

13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and *approved* for such use in accordance with ASME A112.4.1.

Section 504.7.1 Pan size and drain shall be amended to read as follows:

504.7.1 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 605.4. 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.

Section 604.4.1 State maximum flow rate shall be added as a new section as follows:

604.4.1 State maximum flow rate. Where the State mandated maximum flow rate is more restrictive than those of this section, the State flow rate shall take precedence.

Section 606.1 Location of full-open valves shall be amended by deleting items 4 and 5.

Section 606.2 Location of shutoff valves shall be amended by deleting item 2.

Section 608.1 General shall be amended to read as follows:

608.1 General. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from non-potable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to the City's cross-connection control regulations, Table 608.1 of the Plumbing Code, except as specifically stated in Sections 608.2 thru 608.16.10.

Section 608.16.5 Connections to lawn irrigation systems shall be amended to read as follows:

608.16.5 Connections to lawn irrigation systems. The potable water supply system 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.

Section 608.17 Protection of individual water supplies shall be amended to read as follows:

608.17 Protection of individual water supplies. An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with the City's cross-connection control program. When not regulated by the City's cross-connection control program, installation shall be in accordance with Sections 608.17.1 thru 608.17.8 of the Plumbing Code.

Section 610.1 General shall be amended to read as follows:

610.1 General. New or repaired potable water systems shall be purged of deleterious matter and disinfected prior to utilization. The method to be followed shall be that prescribed by the health authority or water purveyor having jurisdiction or, in the absence of a prescribed method, the procedure described in either AWWA C651 or AWWA C652, or as described in this section. This requirement shall apply to "on-site" or "in-plant" fabrication of a system or to a modular portion of a system.

1. The pipe system shall be flushed with clean, potable water until dirty water does not appear at the points of outlet.
2. The system or part thereof shall be filled with a water/chlorine solution containing at least 50 parts per million (50 mg/L) of chlorine, and the system or part thereof shall be valved off and allowed to stand for 24 hours; or the system or part thereof shall be filled with a water/chlorine solution containing at least 200 parts per million (200 mg/L) of chlorine and allowed to stand for 3 hours.
3. Following the required standing time, the system shall be flushed with clean potable water until the chlorine is purged from the system.
4. The procedure shall be repeated where shown by a bacteriological examination that contamination remains present in the system.

Exception: With prior approval the Code Official may wave this requirement when deemed un-necessary.

Section 701.2.1 Availability determination shall be adding as a new section to read as follows:

701.2 .1. Availability determination. The availability of the public sewer to the building, lot or premises shall be determined by the City Director of Engineering.

Section 703.6 Combined sanitary and storm public sewer shall be deleted in its entirety.

Section 704.5 Single stack fittings shall be added as a new section 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.

Section 705.11.2 Solvent cementing shall be amended by deleting the exceptions in their entirety.

Table 710.1(1) Building Drains and Sewers and Table 710.1(2) Horizontal Fixtures Branches and Stacks shall be amended by adding a footnote "d." to read as follows:

d. Minimum 2 inch DWV piping is required below the first floor level of a slab on grade or similar foundation.
[Annotation "d" to be placed after each table title.]

Section 712.5 Dual pump system shall be added as a new section as follows:

712.5 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.

Section 714 Title shall be amended as follows:

SECTION 714
ENGINEERED DRAINAGE DESIGN

Section 714.1 Design of drainage system shall be amended to read as follows:

714.1 Design of drainage system. The sizing, design and layout of the drainage system shall be designed by a registered engineer using *approved* design methods.

Section 804.2 Special waste pipe, fittings and components shall be added as a new section to read as follows:

804.2 Special waste pipe, fittings, and components. Pipes, fittings, and components receiving or intended to receive the discharge of any fixture into which acid or corrosive chemicals are placed shall be constructed of CPVC, high silicone iron, PP, PVDF, chemical resistant glass, or glazed ceramic materials.

Section 904.1 Roof extension shall be amended to read as follows:

904.1 Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 6 inches above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purpose, open vent pipes shall terminate not less than 7 feet above the roof.

Section 915.1 Type of fixture shall be amended to read as follows:

915.1 Type of fixture. A combination waste and vent system shall not serve fixtures other than standpipes, floor drains, sinks, lavatories and drinking fountains. Combination waste and vent systems shall not receive the discharge from food waste disposer or clinical sink.

Section 915.2 Installation shall be amended to read as follows:

915.2 Installation. The only vertical pipe of a combination drain and vent system shall be the connection between the fixture drain of a sink, standpipe, and the horizontal combination drain and vent pipe. The maximum vertical distance shall be 8 feet.

Section 917 Single stack vent system shall be deleted in its entirety.

Section 918.2.1 Installation approval shall be adding as a new section to read as follows:

918.2.1 Installation approval. The installation of air

admittance values shall not be permitted without first obtaining permission from the Building Official. The valves shall be installed in accordance with the requirements of this section and the manufacturer's installation instructions. Installation plans for air admittance valve systems must be submitted, in duplicate, specifically showing the location of all air admittance valves, relief vents, and vent stacks. One copy of the approved plan shall be required to remain on the job site until all inspections are completed. Air admittance valves shall be installed after the DWV testing required by Plumbing Code Section 312.2 or 312.3 has been performed.

Section 1002.10 Plumbing in mental health centers shall be deleted in entirety.

Section 1003.2 Approval shall be amended to read as follows:

1003.2 Approval. The size, type and location of each interceptor and of each separator shall be designed and installed in accordance with the City's health Department requirements, manufacture's instruction and the requirements of this section based on the anticipated conditions of use. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator.

Section 1003.3 Grease interceptors, shall be amended to read as follows:

1003.3 Grease interceptors. Grease interceptors shall comply with all requirement established by the City and shall comply with the requirements of Sections 1003.3.1 through 1003.3.5.

Section 1106.1 General shall be amended to read as follows:

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on the 100-year hourly rainfall rate of 6 inches per hour.

Section 1101.8 Cleanouts required shall be amended to read as follows:

1101.8 Cleanouts required. Cleanouts or manholes shall be installed in the storm drainage system and shall comply with the provisions of this code for sanitary drainage pipe cleanouts.

Section 1108.3 Sizing of secondary drains shall be amended to read

as follows:

1108.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106 of the Plumbing Code. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7 of the Plumbing Code. Scuppers shall not have an opening dimension of less than 4 inches. The flow through the primary system shall not be considered when sizing the secondary roof drain system.

Section 1109 Combined sanitary and storm public sewer shall be deleted in its entirety.

Section 1202.1 Nonflammable medical gases shall be amended by deleting exception 2.

Section 10

Section 30.82 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.82 Adoption of the International Fuel Gas Code

The International Fuel Gas Code ("Fuel Gas Code"), 2015 edition, is hereby adopted by reference. A copy shall be kept on file in the office of the City Secretary. Unless deleted, amended, expanded or otherwise changed herein, all provisions of the Fuel Gas Code shall be fully applicable, binding, of full force and effect within the City.

Section 11

Section 30.83 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.83 Amendments, modifications, and deletions

The following sections of the International Fuel Gas Code ("Fuel Gas Code"), as adopted in section 30.82 of the Code of Ordinances, are amended, modified, or deleted as follows:

Section 101.1 Title shall be amended to read as follows:

101.1 Title. These regulations shall be known as the *Fuel Gas Code* of the City of Garland, hereinafter referred to as "this code." Administration of the Fuel Gas Code shall be in accordance with Chapter 1 of the Plumbing Code, which includes all provisions of Chapter 1301 of the Texas Occupations Code ("the Plumbing License Law"). This code shall apply only to those gas systems specifically regulated by the Plumbing License Law.

Section 102.2 Existing installations, add an exception to read as follows:

Exception: Existing dwelling units shall comply with Section 621.2.

Section 102.8 Referenced codes and standards, shall be amended 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.

Section 106.6.2 Fee schedule, shall be amended to read as follows:

106.6.2 Fee schedule. The fee for such permit shall be as prescribed by the Fee Schedule located in Article XVI of Chapter 30 of the Code of Ordinances.

Section 304.10 Louvers and grilles, shall be amended to read as follows:

304.10 Louvers and grilles. The required size of openings for combustion, ventilation and dilution air shall be based on the net free area of each opening. Where the free area through a design of louver, grille or screen is known, it shall be used in calculating the size opening required to provide the free area specified. Where the design and free area of louvers and grilles are not known, it shall be assumed that wood louvers will have 25-percent free area and metal louvers and grilles will have 50-percent free area. Screens shall have a mesh size not smaller than -inch. Non-motorized louvers and grilles shall be fixed in the open position. Motorized louvers shall be interlocked with the appliance so that they are proven to be in the full open position prior to main burner ignition and during main burner operation. Means shall be provided to prevent the main burner from igniting if the louvers fail to open during burner start- up and to shut down the main burner if the louvers close during operation.

Section 304.11 Combustion air ducts, item #8 shall be amended to read as follows:

8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 12 inches vertically from the adjoining ground level or the manufactures recommendation, whichever is more restrictive.

Section 305.5 Private garages, shall be deleted in its entirety.

Section 306.3 Appliances in attics, shall be amended to read as follows:

306.3 Appliances in attics. Attics containing appliances shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall not be less than 30 inches high and 22 inches wide and not more than 20 feet in length along the centerline of the passageway from the opening to the appliance. The passageway shall have a continuous solid flooring not less than 24 inches wide. A level service space not less than 30 inches deep and 30 inches wide shall be present at the front or service side of the *appliance*. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches, or larger where such dimensions are not large enough to allow removal of the largest *appliance*. A walkway to an appliance shall be rated as a floor as approved by the building official. 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.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.
2. Where the passageway is not less than 6 feet high for its entire length, the passageway shall not be greater than 50 feet in length.

306.5 Equipment and appliances on roofs or elevated structures, shall be amended to read as follows:

306.5 Equipment and appliance on roofs or elevated structures. Where equipment requiring access or appliances are located on elevated structures or the roof of a building such that personnel will have to climb higher than sixteen (16) feet (4877mm) above grade to access such equipment or appliance, an interior or exterior means of access shall be provided. Such access shall not require climbing over obstructions greater than thirty (30) inches (762mm) in height or walking on roofs having

a slope greater than four (4) units vertical in twelve (12) units horizontal (33-percent slope). Such access shall not require the use of portable ladders. Permanent exterior ladders providing access need not extend closer than eight (8) feet (2438mm) to the finished grade.

Section 306.5.1 Sloped roofs, shall be amended 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 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*.

Section 306.5.1.1 Catwalks, shall be added to read as follows:

306.5.1.1 Catwalks. On roof having slopes greater four (4) units vertical in twelve (12) units horizontal (33-percent slope), a catwalk at least twenty-four (24) inches wide with substantial cleats not more than sixteen (16) inches apart shall be provided from the roof access to the working platform at the appliance.

Section 306.7 Water heaters above the ground floor, shall be added read as follows:

306.7 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A maximum 10 gallon water heater (or larger when approved by the Building Official) is capable of being accessed through a lay-in ceiling or a water heater is installed is not more than 10 feet above the ground or floor level and

may be reached with a portable ladder.

Section 306.7.1 Illumination and convenience outlet, shall be added to read as follows:

306.7.1 Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1 of the Fuel and Gas Code.

Section 401.5 Identification, shall be amended to read as follows:

Section 401.5 Identification. For other than steel pipe, exposed piping shall be identified by a yellow label marked "Gas" in black letters. The marking shall be spaced at intervals not exceeding 5 feet. The marking shall not be required on pipe located in the same room as the appliance served. Both ends of each section of medium pressure corrugated stainless steel tubing (CSST) shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following working shall be stamped into the tag:

"WARNING
½ to 5 psi gas pressure
Do Not Remove"

Section 402.3 Sizing, shall be amended by adding an exception to read as follows:

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of ½".

Section 404.9 Minimum burial depth, is amended to read as follows:

404.9 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 18 inches below grade.

Section 406.4 Test pressure measurement, shall be amended 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.

Section 406.4.1 Test pressure, shall be amended to read as follows:

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. 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 incrimination 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 incrimination 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.

Section 406.4.2 Test duration, shall be amended to read as follows:

406.4.2 Test duration. Test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than 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 Code Official, but in no case for less than thirty (30) minutes.

Section 409.1.4 Valves in CSST installations, shall be added as a new section 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.

Section 410.1 Pressure regulators, shall be amended to read as

follows:

410.1 Pressure regulators. A line pressure regulator shall be installed where the appliance is designed to operate at a lower pressure than the supply pressure. Line gas pressure regulators shall be listed as complying with ANSI Z21.80. Access shall be provided to pressure regulators. Pressure regulators shall be protected from physical damage. Regulators installed on the exterior of the building shall be approved for outdoor installation. 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.

Section 503.6.11 Support of gas vents, shall be amended to read as follows:

503.6.11 Support of gas vents. Gas vents shall be supported and spaced in accordance with the manufacturer's installation instructions. Supports shall be installed at every offset and at the vent pipe where it extends through the roof flashing, roof jack or roof thimble. Adjustable fittings shall not be used as lateral support for roof penetration.

Section 621.2 Prohibited use, shall be amended to read 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.

Section 12

Section 30.225 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.225 Adoption of the International Residential Code

The 2015 edition of the International Residential Code ("Residential Code") is hereby adopted by reference. A copy shall remain on file

in the office of the City Secretary. Unless deleted, amended, expanded or otherwise changed herein, all provisions of this code shall be fully applicable and binding and of full force and effect. The adoption of the Residential Code includes appendix sections A, B, C, and G (as amended herein). Such adoption does not include part VIII (Electrical) of the Residential Code.

Section 13

Section 30.226 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.226 Amendments, modifications, and deletions

The following sections of the 2015 International Residential Code, as adopted in section 30.225 of the Code of Ordinances, are amended, modified or deleted as described below:

Section 101.1 Title shall be amended to read as follows:

R101.1 Title. These regulations shall be known as the Residential Code of the City of Garland, hereinafter referred to as the "Residential Code."

Section R101.2 Scope, shall be amended by amending the exception to read as follows:

Exception: At the discretion of the Building Official, existing buildings undergoing repair, alteration or additions, and change of occupancy may with prior approval be permitted to comply with the Appendix J of this code or with the International Existing Building Code.

Section R102.4.1 Conflicts shall be amended to read as follows:

R102.4.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards the provisions of this code shall apply.

Where differences occur between provisions of this code and the Code of Ordinances the provisions of the Code of Ordinances shall control.

Section R103.1 Enforcement agency, shall be amended to read as follows:

R103.1 Enforcement agency. The Building Inspection Department shall enforce the provisions of this code. The official in charge shall be the Building Official.

Section R105.2 Work exempt from permit, shall be amended to read as follows:

R105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws, or ordinances of the City of Garland. Permits shall not be required for the following:

Building:

1. Dog houses or detached accessory buildings not exceeding 20 square feet.
2. Minor foundation repair or minor roof repair of less than \$2,000.00.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge. See R404.4 of the Residential Code for additional requirements on unbalanced fill.
4. Decks not exceeding 200 square feet in area, that are not attached to a dwelling and do not obstruct the exit door required by Section R311.4. Uncovered decks not over 30 inches above grade.
5. Painting, papering, tiling, carpeting, counter tops, cabinets and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches deep.
7. Swing sets, playhouses, children's forts, and tree houses not larger than 100 square feet located entirely in the rear yard.
8. Window awnings support by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support, provided they do not extend into the required front yard or closer than 3 feet to a side or rear property line when fully extended.

{Balance of section unchanged}

Section R105.5 Expiration shall be amended to read as follows:

R105.5 Expiration. An individual permit issued by the Building Official shall expire by limitation and become null

and void on the expiration of 2 years after its issuance if no progress has been made toward the completion of the project, or upon expiration of the project. (A project shall expire immediately after the fifth anniversary of the date the first permit application was filed for the project if no progress had been made towards completion of the project.) Once a permit for particular work has expired, a new permit must be applied for and obtained before the work can be commenced. The permit fee shall be the full amount required for a new permit for such work. The Building Official shall determine the extent to which the work must comply with any new regulations that were not in effect at the time the original permit was issued.

Section R105.10 shall be amended by adding a new section and subsection to read as follows:

R105.10 Contractor registration and supervision of work. Any person providing services as a building, electrical, mechanical, roofing, irrigation, fire sprinkler or plumbing contractor in the City shall register with the Building Inspection Department as a contractor. Application shall be made in writing on forms furnished for that purpose and filed with the Building Official. The application shall show the contractor's name, local address and telephone number, a copy of the contractor's state license or registration (if applicable), and such other information as may reasonably be required to properly identify the contractor. Such registration shall include payment of a fee as prescribed in the fee schedule located in article XVI of chapter 30 of the Code of Ordinances.

R105.10.1 Roofing Contractors. Any roofing or roofing repair work that exceeds \$2000.00 must be performed by a contractor registered in conformance with R105.10. As a condition of the registration the roofing contractor shall provide the City with a certificate of insurance issued by a company or companies authorized to transact business in Texas and rated at least "A" or AM Best or other equivalent insurance rating service. A contractor must have and maintain, throughout the performance of the roofing work, a policy or policies of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the contractor's performance of its work with (1) a policy of comprehensive general liability insurance with combined single limit of not less than \$300,000.00 per occurrence for bodily injury and property damage with an aggregate of not less than \$600,000.00 and an aggregate of not less than \$300,000.00 for products and completed operations; and (2) a policy of automobile liability insurance covering any vehicles

owned and/or operated by the contractors, its officers, agents, and employees, and used in the performance of its roofing work with minimum coverage of as provided by the Texas Transportation Code. A certificate of insurance evidencing the required insurance will be submitted by the contractor to the owner of the dwelling unit upon request. The roofing permit shall contain the following notice:

'Your roofing contract may be subject to Chapter 58, Texas Business and Commerce Code. That law provide that, for disaster remediation work, unless your contractor has maintained a physical business address in either Dallas County, Texas or a county adjacent to Dallas County for at least one year preceding the date of your roofing contract, then your roofing contractor may not require full or partial payment (such as a deposit or down-payment) before the contractor begins work and, after the work begins, may not require partial payments in an amount that exceeds an amount reasonably proportionate to the work performed, including any materials delivered.'

Section R106.1 Submittal Documents shall be amended by adding a sentence to the end of the section to read as follows:

The Building Official may require documents to be submitted in an electrical format as an alternate to paper copies.

Section R109.1.5.2 Erosion Control shall be amended by adding a new subsections to read as follows:

R109.1.5.2 Erosion Control. Erosion control inspection will be conducted at various time during the construction process.

Section R109.5.3 Special Inspector shall be amended by adding a new subsection to read as follows:

R109.1.5.3 Special inspector. In addition to the inspections required by the Residential Code, the owner shall employ a special inspector specialized in that type of construction during construction when deemed necessary by the Building Official.

Section R110 Certificate of Occupancy is deleted in its entirety.

Section R112 Appeals and Code Amendments is amended to read as follows:

SECTION R112
APPEALS AND CODE AMENDMENTS

R112.1. Chapters 1-11 Appeals and code amendments. Appeals and code amendments concerning Chapters 1-11 and appendix G shall be processed in accordance with the provisions set forth in the Building Code as adopted and amended in Chapter 30, Article I, of the City of Garland Code of Ordinances.

R112.2. Chapter 12-32 Appeals and code amendments. Appeals and code amendments concerning Chapters 12-32 and appendixes A, B and C shall be processed in accordance with the provisions set forth in the Mechanical Code as adopted and amended in Chapter 30, Article IV of the City of Garland Code of Ordinances.

Section R115 Working hours, shall be amended by adding a new section to read as follows:

SECTION R115
WORKING HOURS

R115.1 Construction hours established. Any outside work being done adjacent to an occupied residential subdivision or adjacent to an occupied residential use, including multifamily uses, shall be allowed only between 7:00 a.m. and 8:00 p.m. each day of the week. Any outside work being done adjacent to an occupied residential subdivision or adjacent to an occupied residential use including multifamily uses, shall be prohibited between the hours of 8:00 p.m. and 7:00 a.m. each day of the week.

R115.2 Other regulations unaffected. This section does not authorize violation of any other legally established regulation, either public or private, regulating noise nuisance to residents.

R115.3 Exceptions. These regulations do not affect emergency work being done to secure a structure or to reestablish utility service to a structure.

R115.4 Variance. The Director of Health, in accordance with section 22.76 of the Code of Ordinances of the City, may issue a permit of variance to these regulations.

Section R202 Definitions shall be amended to redefine the following terms:

ACCESSORY STRUCTURE. A subordinate building, containing more

than 20 square feet of area and more than 4 feet in height, which is detached from the main building and is clearly secondary and incidental to the main building on, and use of, the property.

TOWNHOUSE. A single-family dwelling unit constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

Table R301.2(1) Climatic and Geographic Design Criteria table shall be amended by completing the table as follows:

Ground Snow Load...5lb/ft²
Wind Design
 Speed...115(3sec-gust)/76 fastest mile
 Topographic effects...No
 Special wind region...No
 Wind-borne debris zone...No
Seismic Design Category...A
Subject to Damage From:
 Weathering...Moderate
 Frost line depth...6 inches
 Termite... Very Heavy
Winter Design Temp...22°F
Ice Barrier Underlayment Required... No
Flood Hazards...Local Code
Air Freezing Index...69
Mean Annual Temp...64.6°F

Section R302.1 Exterior wall, shall be amended to read as follows:

R302.1 Exterior walls. Exterior walls with a fire separation distance less than 3 feet shall have not less than a one-hour fire-resistive rating with exposure from both sides. Projections shall not extend to a point closer than 2 feet from the line used to determine the fire separation distance.

Exception: Detached garages accessory to a dwelling located within 2 feet of a lot line may have roof eave projections not exceeding 4 inches.

Projections extending into the fire separation distance shall have not less than one-hour fire resistive construction on the underside. The above provisions shall not apply to walls which are perpendicular to the line used to determine the fire separation distance.

Exceptions:

1. Structures exempted from permits by R105.2 are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
2. Open metal carport structures may be constructed on the property line without fire-resistive or opening protection when the location of the carport is approved as provided by the Code of Ordinances.
3. Type U occupancies (not garages or carports), less than 145 square feet in size need not be separated from the use to which they are an accessory.

Section R302.2 Townhouses shall be amended by amending its applicable exception to read as follows:

Exception: A common two-hour fire-resistance-rated wall assembly, or one-hour fire-resistance-rated wall assembly, when equipped with a sprinkler system, is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43 of the Residential Code. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

Section R302.2.4 Structural Independence shall be amended by amending exception 5 to read as follows:

5. Townhouses separated by a common two-hour fire resistance-rated wall, or one-hour fire resistant rated wall, when equipped with an automatic sprinkler system.

Section R302.3 Two-family dwellings, shall be amended by adding a new exception to read as follows:

3. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

Section R302.7 Under-stair protection shall be amended to read as follows:

R302.7 Under stair protection. Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8-inch fire-rated gypsum board or one-hour fire-resistive construction.

Section R303.3 Bathrooms shall be amended by amending its applicable exception to read as follows:

Exception: The glazed areas shall not be required where artificial light and local exhaust systems are provided. The minimum local exhaust rates shall be determined in accordance with Section M1507. Exhaust air from the space shall be exhausted out to the outdoors unless the space contains only a water closet, a lavatory 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.

Section R 311.2 Egress Doors shall be amended by adding an exception to read as follows:

Exception: Exit doors may be provided with a night latch, dead bolt or security chain, provided such devices are mounted at a height not to exceed 48 inches above the finished floor.

Section 313.2 One- and two-family dwellings automatic fire systems shall be amended to read as follows:

R313.2 One and two-family dwellings automatic fire systems. An automatic sprinkler system shall be installed in any structure with more than 5,000 square feet of enclosed floor area. For the purpose of this section, a structure includes separate dwelling units that are physically connected, regardless of separation by fire rated walls and property lines. Areas under patio covers and carports shall not be required to be sprinklered.

Section R319.1 Address identification shall be amended to read as follows:

R319.1 Address identification. (A) Address numbers representing the actual, current, and accurate street address of the premises shall be placed and continuously displayed on any building that constitutes a residential premises.

(B) Address numbers shall:

- (1) Be placed and continuously displayed in a position on the building that is readily visible from the street fronting the property;
- (2) Be and remain legible;
- (3) Contrast with the background on which they are placed;
- (4) Consist solely of Arabic numbers or alphabetical letters, as appropriate to accurately reflect the address;
- (5) Be not less than 4 inches in height with a stroke width of not less than 0.5 inches; and
- (6) Be pre-manufactured or professionally lettered.

(C) Additional address numbering shall be placed and continuously displayed in compliance with subsection (B):

(1) Where required by the fire code official at additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from a street, a monument, pole or other sign or means may be required to identify the premises; and

(2) At the rear of the premises if the owner of the premises has maintenance responsibility for the area behind the premises, for example (but not in limitation) if the premises is served by an alley, common area, or easement. A requirement provided by other law or a deed restriction that a premises must have a gate or other access to the adjoining area of responsibility is prima facie evidence that addressing on the rear of the premises is required under this subsection."

Section R320.1 Scope shall be amended to read as follows:

R320.1 Scope. Accessible dwelling units shall comply with the Texas Accessibility Standards as applicable.

Section R322.2.1 Elevations requirements, shall be amended to read as follows:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard area, including

flood hazards areas designated as Coastal A Zones, shall have the lowest floor elevation to or above the base flood elevation plus 2 feet or the design flood elevation.

2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated to a height of not less than the highest adjacent grade as the depth number specified in feet on the FIRM plus 2 feet, or not less than 3 feet if a depth number is not specified.
3. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher.

Exception: Enclosed areas below the design flood elevation, including basement with floors that are not below grade on all sides shall meet the requirements of Section R322.2.2.

Section R401.1 Application shall be amended by adding a new exception to read as follows:

3. In lieu of the requirements of this section, the Building Official may accept an alternative design if the foundation is designed by a professional structural engineer who is licensed by the State of Texas.

Section 401.2.1 Post tension foundations shall be amended by adding a subsection to read as follows:

401.2.1 Post tension foundations. Post tension foundations shall be designed by a professional structural engineer licensed by the State of Texas. Foundation construction shall be certified as meeting the design of the engineer by a special inspector or by the designing engineer.

Section R401.2.2 Foundation repair shall be amended by adding a new section to read as follows:

R401.2.2 Foundation repairs. Foundation repair shall be designed by a professional structural engineer licensed by the State of Texas. Foundation repair shall be certified as meeting the design of the engineer by a special inspector or by the designing engineer.

Section R401.3.1 Grading and drainage shall be amended by adding a new section to read as follows:

R401.3.1 Grading and drainage. Grading and drainage shall

conform with Chapter 31, Article II, Section 31.24 of the City of Garland Code of Ordinances.

Section R401.3.2 Protection to adjoining property shall be amended by adding a new section to read as follows:

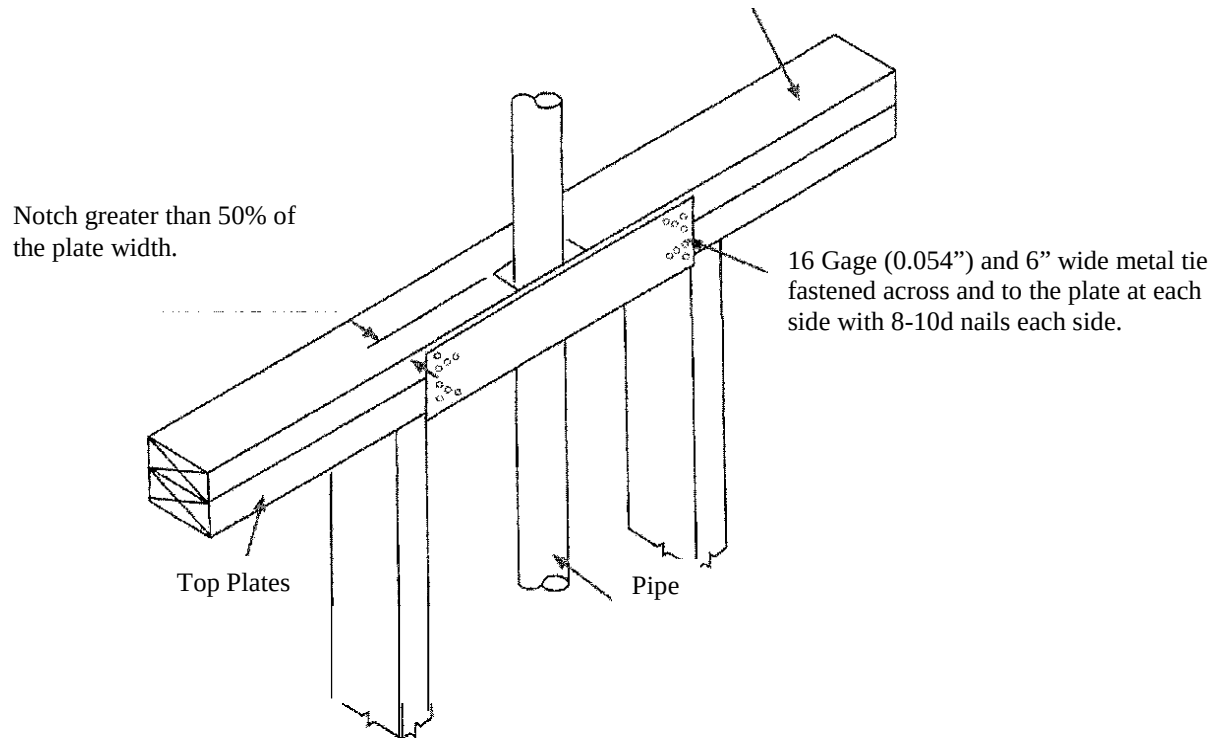
R401.3.2 Protection of adjoining property. The requirements for protection of adjacent property and the depth to which the protection is required shall be defined by prevailing law. Lateral support of adjoining property is of a civil nature between adjoining property owners.

Section 602.6.1 Drilling and notching of top plate shall be amended to read as follows:

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 and 5 inches 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) nails having a minimum length of 1 inches 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 below.

Figure R602.6.1 Top Plate Framing to Accommodate Piping shall be deleted in its entirety and the following figure shall be inserted in its place:

Figure R602.6.1
Top Plate Framing to Accommodate Piping



Section R703.8.4.1 shall be amended by adding a second paragraph to the end of the section to read as follows:

In stud framed exterior walls, all ties shall be anchored to studs as follows:

1. When studs are 16 inches o.c., stud ties shall be spaced no further apart than 24 inches vertically starting approximately 12 inches from the foundation; or
2. When studs are 24 inches o.c., stud ties shall be spaced no further apart than 16 inches vertically starting approximately 8 inches from the foundation.

Section R902.1 Roofing covering materials shall be amended to read as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set for the in Section R904 and R905. Only class A, B, C roofing shall be installed. Class A, B and C roofing requirements by this section to be listed shall be tested in accordance with UL790 or ASTM E 108.

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 100 square feet.

Chapter 11 Energy Efficiency, the contents of Chapter 11 shall be deleted in their entirety and replaced with the following:

N1101 Scope. This chapter regulated the energy efficiency of the design and construction of buildings regulated by this code.

N1101.2 Compliance. Compliance shall be demonstrated by meeting the requirement of the residential provisions of the 2015 International Energy Conservation Code as amended in conformance with State law.

Section M1305.1.3Appliances in attics, shall be amended to read

as follows:

M1305.1.3 Appliances in attics. Attics containing appliances requiring access for maintenance, repair, or replacement shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall not be less than 30 inches high and 22 inches wide and not more than 20 feet in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous unobstructed solid flooring not less than 22 inches wide. A level service space not less than 30 inches deep and 30 inches wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches or shall be larger where such dimensions are not large enough to allow removal of the largest appliance. As a minimum, access to the attic space shall be provided by one of the following:

1. A permanent stair;
2. A pull down stair with a minimum 300 lb capacity;
3. An access door from an upper floor level; or
4. An access panel may be used in lieu of items 1, 2, or 3 with prior approval of the Building Official due to building conditions.

Exception: The passageway and level service space are not required where the appliance is capable of being removed through the required opening.

Section M1503.4 Makeup air required shall be amended to read as follows:

M1503.4 Makeup air required. Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute shall be provided with makeup air at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Exception: 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 without providing make up air. Exhaust hood system capable of exhausting in excess of 600 cubic feet per minute shall be provided with a makeup air at a rate

approximately equal to the difference between the exhaust air rate and 600 cubic feet per minute.

Section M2005.2 Prohibited locations shall be amended 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 enclosure is not required.

Section G2408.3 shall be deleted in its entirety.

Section G2415.2.1 Identification shall be amended by adding a new subsection to read as follows:

G2415.2.1 Identification. For other than steel pipe, exposed piping shall be identified by a yellow label marked "Gas" in black letters. The marking shall be spaced at intervals not exceeding 5 feet. The marking shall not be required on pipe located in the same room as the appliance served. Both ends of each section of medium pressure corrugated stainless steel tubing (CSST) shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following working shall be stamped into the tag:

"WARNING
½ to 5 psi gas pressure
Do Not Remove"

Section G2414.5.3 Corrugated stainless steel tubing shall be amended to read as follows:

G2414.5.3 Corrugated stainless steel tubing. Corrugated stainless steel tubing shall be listed in accordance with ANSI LC1/CSA 6.26. Corrugated stainless steel tubing shall be a minimum of ½ inch in size.

Section G2415.12 Minimum burial depth shall be amended to read as follows:

G2415.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 18 inches below grade.

Section G2415.12.1 Individual outside appliances shall be deleted in its entirety.

Section G2417.4 Test pressure measurement, shall be amended to read as follows:

G2417.4 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.

Section G2417.4.1 Test pressure, shall be amended to read as follows:

G2417.4.1 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. 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 incrimination 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 incrimination 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.

Section G2417.4.2 Test duration, shall be amended to read as follows:

G2417.4.2 Test duration. Test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than 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 Code Official, but in no case for less than thirty (30) minutes.

Section G2420.1.4 Valves in CSST installations, shall be added as a new section 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.

Section G 2421.1 Pressure regulators, shall be amended to read as follows:

G2421.1 Pressure regulators. A line pressure regulator shall be installed where the appliance is designed to operate at a lower pressure than the supply pressure. Line gas pressure regulators shall be listed as complying with ANSI Z21.80. Access shall be provided to pressure regulators. Pressure regulators shall be protected from physical damage. Regulators installed on the exterior of the building shall be approved for outdoor installation. 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.

Section G2445.2 Prohibited use, shall be amended to read as follows:

G2445.2 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.

Section G2448.1.1 Installation requirements shall be amended to read as follows:

G2448.1.1 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.

Section P2801.6.1 Pan size and drain shall be amended to read as follows:

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 605.4. 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.

Section P2804.6.1 Requirement for discharge piping shall be amended to read as follows:

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.
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 Building Official and permitted by the manufacture's installation instructions and installed per those instructions.

5. Discharge to an indirect waste receptor or to the outdoors. Where discharging to the outdoors in areas subject to freezing, discharge piping shall be first piped to an indirect waste receptor through an air gap located in a conditioned area.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Not terminate less than 6 inches or more than 24 inches above grade.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings
13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and *approved* for such use in accordance with ASME A112.4.1.

Section P2902.5.3 Lawn irrigation systems shall be amended to read as follows:

P2902.5.3 Lawn irrigation systems. The potable water supply system 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.

Section P3003.9 Solvent cementing shall be amended by deleting the exceptions in their entirety.

Section P3112.2 Installation shall be amended to read as follows:

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 drain board 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 then then through the roof to the open air or may be connected to their vents at a point not less than six (6) inches 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 $\frac{1}{4}$ inch per foot back to the drain shall be maintained. The return bend used under the drain-board shall be a one (1) piece fitting or be a forty-five (45) degree, a ninety (90) degree and a forty-five (45) elbows 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 on the vertical portion of the foot vent.

Section 14

Section 30.251 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.251 Adoption of the International Energy Conservation Code

The 2015 edition of the International Energy Conservation Code ("Energy Conservation Code") is hereby adopted by reference. A copy shall remain on file in the office of the City Secretary. Unless deleted, amended, expanded or otherwise changed herein, all provisions of the Energy Conservation Code shall be fully applicable and binding and of full force and effect.

Section 15

Section 30.252 of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 30.252 Amendments, modifications, and deletions

The following sections of the International Energy Conservation Code, as adopted in section 30.251 of the Code of Ordinances, are amended as described below:

Sections C101.1 & R101.1 Title shall be amended to read as follows:

C101.1 & R101.1 Title. These regulations shall be known as the Energy Conservation Code of The City of Garland, Texas (hereinafter referred to as "the Energy Conservation Code") and shall be cited as such. It is referenced to herein as "this code."

Section C102.1.2 & R102.1.2 Alternative compliance shall be amended 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 Building 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 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 Building 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 and R403.3.3 respectively.

Sections C202 & R202 General Definitions shall be amended by adding the following definitions:

DYNAMIC GLAZING. Any fenestration product that has the fully reversible ability to change its performance properties, including *U*-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT).

ENERGY STAR. ENERGY STAR is a joint program of the United States Environmental Protection Agency and United States Department of Energy. It provides technical information and resources related to energy efficiency, and it provides a recognition program for consumer goods as well as new homes and commercial and industrial buildings.

ENERGY SYSTEMS LABORATORY ("ESL"). ESL is a division of the Texas Engineering Experiment Station and a member of the Texas A&M University System. ESL assists with the calculation of emissions reduction benefits from energy efficiency and renewable energy initiatives as part of the Texas Emissions Reduction Program ("TERP").

GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditioned space. Glazing area includes the area of glazed fenestration assemblies in walls bounding conditioned basements. For doors where the daylight opening area is less than 50 percent of the door area,

the glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.

HERS INDEX. A HERS Index of 100 represents the energy use of the "American standard building" and a HERS Index of 0 (zero) represents a building using no net purchased energy (a "zero energy building"). Lower HERS Index scores indicate greater energy efficiency.

HISTORIC BUILDING. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource within a National Register-listed or locally designated historic district or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places, either individually or as a contributing building, to a historic district by the State Historic Preservation Officer of the Keeper of the National Register of Historic Places.

HOME ENERGY RATER. A person who performs a standardized evaluation of the energy efficiency of a building. The rater conducts onsite inspections and tests, including a blower door test and a duct test, the results of which are used to generate a final HERS Index for a building.

HOME ENERGY RATING SYSTEM ("HERS"). A home energy rating is an analysis of a building's projected energy efficiency in comparison to a "reference home" (the current reference home is based on the 2006 International Energy Conservation Code, but is subject to change). A home energy rating involves analysis of a home's construction plans and onsite inspections and testing by a certified home energy rater. This analysis yields a projected, pre-construction HERS Index.

INTERNATIONAL CODE COMPLIANCE CALCULATOR ("IC3"). Developed by ESL, IC3 is a software tool that compares the energy efficiency of a proposed construction design to the energy efficiency of ESL's standard construction design.

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.

Sections C303.1.5 & R303.1.5 Spray foam, shall be added to read as follows:

Sections C303.1.5 & R303.1.5 Spray foam. Where spray-applied polyurethane foam is installed, the installer must provide product information from the insulation manufacturer indicating a flame spread index of not more than 25 and a smoke-developed index of not more than 450 when tested in accordance with ASTM E84 or UL723.

Sections C402.2.7 & R402.2.14 Insulation installed in walls shall be added to read as follows:

Sections C402.2.7 & R402.2.14 Insulation installed in walls. To insure that insulation remains in place, insulation installed in walls shall be totally enclosed on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, netting or other equivalent material approved by the Building Official.

Section R402.3.2 Glazed fenestration SHGC, shall be added to read as follows:

R402.3.2 Glazed fenestration SHGC. Where vertical fenestration is shaded by an overhang, eave, or permanently attached shading device, the SHGC required in Table R402.1.2 shall be reduced by using the multipliers in Table R402.3.2 SHGC Multipliers for Permanent Projections.

Table R402.3.2 SHGC Multipliers for Permanent Projections shall be added to read as follows:

Table R402.3.2 SHGC Multipliers for Permanent Projections ^a

Projection Factor	SHGC Multiplier (all Other Orientation)	SHGC Multiplier (North Oriented)
0 - 0.10	1.00	1.00
>0.10 - 0.20	0.91	0.95
>0.20 - 0.30	0.82	0.91
>0.30 - 0.40	0.74	0.87
>0.40 - 0.50	0.67	0.84

>0.50 - 0.60	0.61	0.81
>0.60 - 0.70	0.56	0.78
>0.70 - 0.80	0.51	0.76
>0.80 - 0.90	0.47	0.75
>0.90 - 1.00	0.44	0.73

^a North oriented means within 45 degrees of true north.

R402.4.1.2 Testing, this paragraph shall be added to the end of the section as follows:

Mandatory testing shall only be performed by individuals that are certified to perform air infiltration testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure. The testing agency shall submit a Residential Testing Compliance Certificate to the Building Official.

R403.3.3 Duct Testing (Mandatory), this paragraph shall be added to the end of the section as follows:

Mandatory testing shall only be performed by individuals that are certified to perform duct testing leakage testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure. The testing agency shall submit a Residential Testing Compliance Certificate to the Building Official.

Section R405.6.2 Specific approval, this sentence shall be add to the end of this section to read as follows:

Acceptable performance software simulation tools may include, but are not limited to, REM Rate™, Energy Gauge and IC3. Other performance software programs accredited by RESNET BESTEST and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official.

TABLE R406.4 MAXIMUM ENERGY RATING INDEX, shall be amended to read as follows:

TABLE R406.4¹
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	65

¹ This table is effective until August 31, 2019.

TABLE R406.4²
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	63

² The table is effective from September 1, 2019 to August 31, 2022.

TABLE R406.4³
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	59

³ This table is effective on or after September 1, 2022.

Section 16

That Chapter 30, "Building Inspection," of the Code of Ordinances is hereby amended by adding Sec. 30.270 to read as follows:

Sec. 30.270 Adoption of the International Property Maintenance Code

The following provisions (as are enumerated in Sec. 30.271) of the International Property Maintenance Code ("Property Maintenance Code"), 2015 edition, are hereby adopted by reference. A copy shall be kept on file in the Office of the City Secretary. If so adopted, the adopted provisions of the Property Maintenance Code shall be fully applicable, binding, and of full force and effect within the City. When any section of, or amendment to, the Property Maintenance Code conflicts with a provision of the Code of Ordinances, the Code of Ordinances shall control.

Section 17

That Chapter 30, "Building Inspection," of the Code of Ordinances is hereby amended by adding Sec. 30.271 to read as follows:

Sec. 30.271 Amendments, modifications, and deletions

The following sections of the International Property Maintenance Code are adopted as follows:

Section 101 Scope and Administration shall be adopted, provided that Section 101.2 shall be amended to read as follows:

101.2 Scope. The provisions of this code shall apply to all existing nonresidential structures and all existing nonresidential premises and constitutes the minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for safe; and a reasonable level of sanitary maintenance; the responsibility of owners, owner's authorized agents, operators, and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

Section 108 Unsafe structures and equipment shall be adopted.

Chapter 2 Definitions shall be adopted, with the exception of the definition of "inoperable vehicle," which is hereby deleted.

Section 301 General shall be adopted.

Section 304 Exterior Structure shall be adopted.

Section 305 Interior Structure shall be adopted.

Section 306 Component Serviceability shall be adopted.

Section 307 Handrails & Guardrails shall be adopted.

Chapter 8 Referenced Standards shall be adopted.

Appendix A Boarding Standard shall be adopted.

Section 18

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 19

That Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas, amended, shall be and remain in full force and effect save and except as amended in this Ordinance.

Section 20

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 21

That this Ordinance shall pursuant to Texas Local Government Code Section 214.218 be and become effective 30 days after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2016.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Agenda Item 5.

Meeting Date: August 16, 2016

Item Title: 2015 Fire Code adoption

Submitted By: Jim Olk, Building Official

Summary of Request/Problem

The City Council is requested to consider an ordinance adopting the 2015 International Fire Code with amendments and take appropriate action.

Recommendation/Action Requested and Justification

In April of 2016 the Building and Fire Code Board held a public meeting to receive public comments and consider a recommendation to adopt the 2015 International Fire Code. The Building and Fire Code Board unanimously recommended that the City Council adopt the International Fire Code with the proposed amendments.

Model codes establish a minimum standard for construction to protect the life, health and safety of the people that occupy or visit buildings and through a governmental consensus process they are updated every three years so as to address newer building techniques, new materials and methods of construction. Currently the City of Garland enforces the 2009 International series of construction codes along with the 2008 National Electrical Code. To promote uniformity with the region the North Central Texas Council of Governments has recommended that municipalities within the North Central Texas adopt the 2015 series of International Codes and the 2014 National Electrical Code.

Attachments

2015 Fire Code

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 21, "FIRE PREVENTION," OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

Section 21.01 of Chapter 21, "Fire Prevention," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 21.01 Adoption of the International Fire Code

The International Fire Code ("the Fire Code"), 2015 edition, is hereby adopted by reference. A copy shall be kept on file in the office of the City Secretary. Unless deleted, amended, expanded or otherwise changed in this Code of Ordinances, all provisions of the Fire Code as adopted in this section shall be fully applicable and binding and of full force and effect within the City.

Section 2

Section 21.03 of Chapter 21, "Fire Prevention," of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

Sec. 21.03 Amendments made to the International Fire Code

The International Fire Code ("the Fire Code") is amended in the following respects:

Section 102.1 is amended to read as follows:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions where required in Chapter 11 or in specific sections of this code.

4. Existing structures, facilities and conditions that, in the opinion of the *fire code official*, constitute a distinct hazard to life or property.

Section 102.4 is amended to read as follows:

102.4 Application of building code. The design and construction of new structures shall comply with this code and all other codes as applicable, and any *alterations*, additions, changes in use or changes in structures required by the Fire Code, which are within the scope of this and other codes, shall be made in accordance therewith.

Section 104.1 is amended by adding a new Section 104.12 to read as follows:

104.1 General. The *fire code official* is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

104.12. Fire Prevention Bureau Personnel and Police. The Fire Chief and members of the fire prevention bureau shall have the power to issue citations for violations of this code. When requested to do so by the Fire Chief, the Chief of Police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.

Section 105.2 is amended by adding a new Section 105.2.5 to read as follows:

105.2 Application. Application for a permit required by this code shall be made to the *fire code official* in such form and detail as prescribed by the *fire code official*. Applications for permits shall be accompanied by such plans as prescribed by the *fire code official*.

105.2.5 Fees. Fees shall be collected as follows.
Exception: Permit fees for civic or charitable events or functions may be waived with the approval of the Fire Chief or the Fire Marshal.

Permit fees for operational permits shall be as follows:

Fire Code	Required Operational Permit	Fee
105.6.2	Amusement buildings (valid for 14 days)	\$100.00
105.6.5	Carnivals and fairs (valid for 14 days)	\$100.00
105.6.9	Compressed gases (annual)	\$100.00
105.6.11	Cryogenic fluids (annual)	\$100.00
105.6.15	Explosives (annual)	\$100.00
105.6.17	Flammable and combustible liquids (annual)	\$100.00
105.6.19	Fruit and crop ripening (annual)	\$100.00
105.6.21	Hazardous materials (annual)	\$100.00
105.6.23	High-piled storage (annual)	\$100.00
105.6.24	Hot work operations (valid for 14 days)	\$100.00
105.6.27	Liquid-or gas-fueled vehicles or equipment in assembly buildings (per event)	\$100.00
105.6.28	LP-gas (annual)	\$100.00
105.6.32	Open burning (per day)	\$1000.00
105.6.34	Open flames and candles (per event)	\$100.00
105.6.38	Pyrotechnic special effects material (per display)	\$100.00
105.6.41	Repair garages (annual)	\$100.00
105.6.45	Temporary membrane structures and tents (valid for 14 days)	\$100.00

Permit fees for construction permits shall be as follows:

Fire Code	Required Construction Permit	Fee
105.7.1	Automatic fire-extinguishing systems except fire sprinklers (per system)	\$100.00
Fire Sprinkler Systems*		
105.7.1	Fire sprinkler systems, permitted by riser (1-19 heads)	\$150.00
	Fire sprinkler systems, permitted by riser (20-100 heads)	\$200.00
	Fire sprinkler systems, permitted by riser (101-300 heads)	\$250.00
	Fire sprinkler systems, permitted by riser (301-1000 heads)	\$300.00
	Fire sprinkler systems, permitted by riser (1001+ heads)	\$300.00 + \$1 per head over

		1000
* Wet and dry systems must be permitted individually		
105.7.1	Fire Underground Supply line / Remote FDC	\$100.00
105.7.5	Emergency responder radio coverage system	\$50.00
Fire Alarm Systems		
105.7.6	Fire alarm and detection systems and related equipment (1-24 devices)	\$150.00
	Fire alarm and detection systems and related equipment (25-100 devices)	\$200.00
	Fire alarm and detection systems and related equipment (101-200 devices)	\$250.00
	Fire alarm and detection systems and related equipment (201+ devices)	\$300.00
105.7.7	Fire pumps and related equipment	\$100.00
105.7.8	Flammable and combustible liquids	\$100.00
105.7.9	Gates and barricades across fire apparatus access roads	\$50.00
105.7.12	LP-gas	\$100.00
105.7.14	Smoke control or smoke exhaust systems	\$100.00
105.7.15	Solar photovoltaic power systems	\$50.00
105.7.17	Standpipe systems	\$100.00
105.7.19	Electronic access control systems.	\$150.00

If plans need correction, there is no fee for the first re-submittal. If more than one resubmittal is required, a fee of \$100.00 shall be assessed for each re-submittal.

If the initial acceptance test fails, a second acceptance test will be conducted at a charge of \$100.00. Each additional re-test will be assessed a fee of \$500.00 per test.

A request for a visual inspection prior to the acceptance test will be assessed an additional fee of \$100.00 per inspection.

Corrected documents. Where field conditions necessitate any change from the approved construction documents, the Fire Code Official shall have the authority to require the corrected construction documents to be submitted for approval at a flat rate of \$100.00.

The Bureau of Fire Prevention shall have the authority to inspect all businesses annually:

Annual Inspection fees shall be as follows:

0 - 2,000 square feet	\$50
2,001 - 4,999 square feet	\$75
5,000 - 19,999 square feet	\$100
20,000 - 99,999 square feet	\$125
100,000 - 249,000 square feet	\$150
250,000 - 499,999 square feet	\$200
500,000 + square feet	\$250
Additional tenant spaces per building	\$25 per tenant
Maximum fee per building	\$350

A facility that does not meet applicable requirements at the first inspection shall be re-inspected and the following fees shall apply.

1 st Re-Inspection	Free
2 nd Re-Inspection	\$35
3 rd and Subsequent Re-Inspections	\$50

The Bureau of Fire Prevention shall inspect each site for which a new certificate of occupancy has been issued. The inspection shall take place within 60 days of the approval of the certificate of occupancy. An inspection fee of \$50.00 shall be assessed. A facility that does not meet applicable requirements at the first inspection shall be re-inspected. The first re-inspection shall be free of charge. The second reinspection shall be \$35.00. The third and all subsequent re-inspections shall be \$50.00 per inspection.

Section 105.6 is amended to read as follows:

105.6 Required operational permits. The *fire code official* is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.48.

Section 105.6.1 is deleted

105.6.2 Amusement buildings. An operational permit is required to operate a special amusement building.

Sections 105.6.3 and 105.6.4 are deleted.

105.6.5 Carnivals and fairs. An operational permit is required to conduct a carnival or fair.

Sections 105.6.6 thru 105.6.8 are deleted.

105.6.9 Compressed gases. An operational permit is required for the storage, use or handling at *normal temperature and pressure* (NTP) of *compressed gases* in excess of the amounts listed in Table 105.6.9.

Exception: Vehicles equipped for and using *compressed gas* as a fuel for propelling the vehicle.

TABLE 105.6.9
PERMIT AMOUNTS FOR COMPRESSED GASES

TYPE OF GAS	AMOUNT (cubic feet at NTP)
Corrosive	200
Flammable (except cryogenic fluids and liquefied petroleum gases)	200
Highly toxic	Any Amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

For SI: 1 cubic foot = 0.02832 m³.

a. For carbon dioxide used in beverage dispensing applications, see Section 105.6.4.

Section 105.6.10 is deleted.

105.6.11 Cryogenic fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense *cryogenic fluids* in excess of the amounts listed in Table 105.6.11.

Exception: Permits are not required for vehicles equipped for and using *cryogenic fluids* as a fuel for propelling the vehicle or for refrigerating the lading.

TABLE 105.6.11
PERMIT AMOUNTS FOR CRYOGENIC FLUIDS

TYPE OF CRYOGENIC FLUID	INSIDE BUILDING	OUTSIDE BUILDING
Flammable	More than 1	60
Inert	60	500
Oxidizing (includes oxygen)	10	50
Physical or health hazard not indicated above	Any Amount	Any Amount

For SI: 1 gallon = 3.785 L.

Sections 105.6.12 thru 105.6.14 are deleted.

105.6.15 Explosives. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of *explosives, explosive materials*, fireworks or pyrotechnic special effects within the scope of Chapter 56.

Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

Section 105.6.16 is deleted.

105.6.17 Flammable and combustible liquids. An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or *combustible liquids*.
This requirement shall not apply to the offsite transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.
2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:
 - 1.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the *fire code official*, would cause an unsafe condition.
 - 1.2. The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.
3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil burning equipment.
4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-

dispensing facilities or where connected to fuel-burning equipment.

Exception: Fuel oil and used motor oil used for space heating or water heating.

5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the *approved*, stationary on-site pumps normally used for dispensing purposes.
6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and *combustible liquids* are produced, processed, transported, stored, dispensed or used.
7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or *combustible liquid* tank.
8. To change the type of contents stored in a flammable or *combustible liquid* tank to a material that poses a greater hazard than that for which the tank was designed and constructed.
9. To manufacture, process, blend or refine flammable or *combustible liquids*.
10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments.
11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments. Above ground storage and dispensing tanks greater than 299 gallons shall be permitted by the fire department.

Section 105.6.18 is deleted.

105.6.19 Fruit and crop ripening. An operational permit is required to operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.

Section 105.6.20 is deleted.

105.6.21 Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21.

Section 105.6.22 is deleted.

105.6.23 High-piled storage. An operational permit is required to use a building or portion thereof as a *high piled storage area* exceeding 500 square feet (46 m2).

105.6.24 Hot work operations. An operational permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment inside a structure.
Exception: Work that is conducted under a construction permit.
4. Fixed-site hot work equipment, such as welding booths.
5. Hot work conducted within a wildfire risk area.
6. Application of roof coverings with the use of an open-flame device.
7. Where *approved*, the *fire code official* shall issue a permit to carry out a hot work program. This program allows *approved* personnel to regulate their facility's hot work operations. The *approved* personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision.

Sections 105.6.25 and 105.6.26 are deleted.

105.6.27 Liquid-or gas-fueled vehicles or equipment in assembly buildings. An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.

Section 105.6.28 is amended to read as follows:

105.6.28 LP-gas. An operational permit is required for:

1. Storage and use of LP-gas.
Exception: A permit is not required for individual containers with a 20 pound (9.0 Kg) water capacity or less serving occupancies in Group R-3.
2. Operation of cargo tankers that transport LP-gas.

Sections 105.6.29 thru 105.6.31 are deleted.

Section 105.6.32 is amended to read as follows:

105.6.32 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

Exception: *Recreation residential fires* in accordance with Section 307.4.2.1 of this code.

Section 105.6.33 is deleted.

105.6.34 Open flames and candles. An operational permit is required to use open flames or candles in connection with E, and I occupancies.

Sections 105.6.35 thru 105.6.37 are deleted.

105.6.38 Pyrotechnic special effects material. An operational permit is required for use and handling of pyrotechnic special effects material.

Sections 105.6.39 thru 105.6.40 are deleted.

105.6.41 Repair garages. An operational permit is required for operation of repair garages.

Sections 105.6.42 thru 105.6.44 are deleted.

105.6.45 Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 400 square feet (37 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides, which comply with all of the following:
 - 2.1. Individual tents having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple tents placed side by side

without a fire break clearance of not less than 12 feet (3,658 mm) shall not exceed 700 square feet (65m2) total.

2.3. A minimum clearance of 12 feet (3,658 mm) to structures and other tents shall be provided.

Sections 105.6.46 thru 105.6.48 are deleted.

Section 105.7 is amended by adding Section 105.7.19 to read as follows:

105.7 Required construction permits. The *fire code official* is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.19.

105.7.19 Electronic access control systems. Construction permits are required for the installation or modification of an electronic access control system, as specified in Chapter 10. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Section 108.1 is amended to read as follows:

108.1 Board of appeals established. Any person aggrieved by any orders, decisions or determinations made by the *fire code official* relative to the application and interpretation under the provisions of this code, shall have the right to make an appeal to the Building and Fire Codes Board created under Section 30.02 of the Code of Ordinances within 30 days from the date of the decision or ruling. Such appeals shall be made by filing with the Secretary of the Board a written notice specifying the grounds therefore. The Fire Code Official shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed from was made. The Board shall within a reasonable time, but not exceeding 30 days, reverse or affirm, wholly or partly, or modify the decision appealed from and shall make such order or determination as in its opinion ought to be made provided, however, all such decisions of the Board shall be by concurring vote of at least three (3) members, but not less than a majority of the appointed members present. Every decision shall be promptly filed in the office of the Fire Chief of the fire department and the City secretary. It shall be the duty of the Fire Chief to enforce the decision of the Board. Proposed amendments to the Fire Code may be submitted to the secretary of the Board by any interested

person who desires to maintain and improve the regulations contained in the Fire Code. Recommendations of the Fire Chief and the Fire Code Official shall be considered by the Board in relation to any requested amendments. All decisions and recommendations of the Board with respect to any Fire Code amendments shall require a concurring vote of two-thirds (2/3) of the appointed membership. The Chairman of the Board, or members that he may designate, may represent the Board at public hearings by the City Council on amendments to this code. During the pendency of the request to the Board, the decision appealed from will be stayed unless the Fire Code Official determines that the stay would create or allow the continuance of a substantial fire hazard threatening the lives or property of persons other than the appellant.

Section 109.4 is amended to read as follows:

109.4 Violation penalties. Any persons, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be subject to, a fine not to exceed TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS for each offense. Each and every day any such violation shall continue shall be deemed a separate offense.

Section 111.4 is amended to read as follows:

111.4. 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 condition, shall be liable for a fine not to exceed TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS for each offense. Each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 113.3 is amended to read as follows:

113.3 Work commencing before permit issuance. Any person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to an additional fee twice that of the normal required permit fees, which shall be in addition to the required permit fees.

Section 202 is amended by amending or adding the following definitions to read 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 persons who are rendered incapable of self-preservation by the services provided. This group may include but not be limited to the following:

- Dialysis centers
- Procedures involving sedation
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

ATRIUM. An opening connecting three or more stories... *{Remaining text unchanged}*

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.

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.

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, *detonation*, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein. ... *{Remainder of text unchanged}*...

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, a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

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.

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.

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.

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

Section 307.1.1 is amended to read as follows:

307.1.1 Prohibited Open Burning. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Exception: Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the *fire code official*.

Section 307.2 is amended 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. 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*.

Section 307.3 is amended to read as follows:

307.3 Extinguishment Authority. 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.

Section 307.4 is amended to read as follows:

307.4 Location. The location for open burning shall not be less than 300 feet (91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91 440 mm) of any structure.

Exceptions:

1. Fires in *approved* containers that are not less than 15 feet (4,572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

Section 307.4.2 is amended by adding new Section 307.4.2.1 to read as follows:

307.4.2.1 Residential Recreational Fires. In residential zoning recreational fires must be completely contained within a permanently constructed structure with a masonry floor or a commercially manufactured appliance specifically designed for burning. Burning of coal, charcoal, wood, propane or natural gas only is permitted.

Section 307.4.3 is amended to read as follows:

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3,048 mm) of a structure or combustible material.

Section 307.4 is amended by adding Section 307.4.4 to read as follows:

307.4.4 Permanent Outdoor Fire pit. Permanently installed outdoor fire pits 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 Building Code.

Section 307.4 is amended by adding Section 307.4.5 to read as follows:

307.4.5 Trench Burns. Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

Section 307.5 is amended 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 fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other *approved* on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

Section 308.1.4 is to read as follows:

308.1.4 Open-flame Cooking Devices. Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used on combustible balconies, decks, or within 10 feet (3,048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings, except that 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 lbs. (5 containers).
2. Where buildings, balconies and decks are protected by an approved *automatic sprinkler system*, except that 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).

3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 21/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

Section 308.1.6.2 is amended to read as follows:

308.1.6.2 Portable fueled open-flame devices. Portable open-flame devices fueled by flammable or combustible gases or liquids shall be enclosed or installed in such a manner as to prevent the flame from contacting combustible material.

Exceptions:

1. LP-gas-fueled devices used for sweating pipe joints or removing paint in accordance with Chapter 61.
2. Cutting and welding operations in accordance with Chapter 35.
3. Torches or flame-producing devices in accordance with Section 308.1.3.
4. Candles and open-flame decorative devices in accordance with Section 308.3.

Section 308.1.6.3 is amended to read as follows:

308.1.6.3 Sky Lanterns. A person shall not release or cause to be released an unmanned free-floating devices containing an open flame or other heat source, such as but not limited to a sky lantern.

Section 308.3 is amended to read as follows:

308.3 Group A, E and I occupancies. Open-flame devices shall not be used in a Group A, E, or I occupancy.

Exceptions:

1. Open-flame devices are allowed to be used in the following situations, provided *approved* precautions are taken to prevent ignition of a combustible material or injury to occupants:
 - 1.1. Where necessary for ceremonial or religious purposes in accordance with Section 308.1.7.
 - 1.2. On stages and platforms as a necessary part of a performance in accordance with Section 308.3.2.
 - 1.3. Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.
 - 1.4. Where necessary for educational or scientific purposes and under the direct supervision of a faculty member.
2. Heat-producing equipment complying with Chapter 6 and the

International Mechanical Code.

3. Gas lights are allowed to be used provided adequate precautions satisfactory to the *fire code official* are taken to prevent ignition of combustible materials.

Section 311.5 is amended to read as follows:

311.5 Placards. The *fire code official* is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

Section 401 is amended by adding Section 401.9 to read as follows:

401.9 Fire 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.

Section 403.12.1.2 is amended to read as follows:

403.12.1.2 Duties. In addition to the other requirements of this Fire Code, On-duty fire watch personnel shall have the following responsibilities:

1. Keep diligent watch for fires, obstructions to *means of egress* and other hazards during the time such place is open to the public or such activity is being conducted.
2. Take prompt measures for remediation of hazards and extinguishment of fires that occur.
3. Take prompt measures to assist in the evacuation of the public from the structures.
4. Have fire extinguishing equipment readily available and be trained in its use.
5. Be familiar with facilities for sounding an alarm in the event of a fire.
6. Be provided with at least one approved means for notification of the fire department
7. Their sole duty shall be to perform constant patrols and watch for the occurrence of fire.

Section 403.5 is amended to read as follows:

403.5 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 403.5.1 through 403.5.3.

Section 404.2.2 is amended to read as follows:

404.2.2 Fire safety plans. Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy including the following:
 - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
 - 2.2. Procedures for occupants under a defend-in place response.
 - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
 - 4.1. Exits.
 - 4.2. Primary evacuation routes.
 - 4.3. Secondary evacuation routes.
 - 4.4. Accessible egress routes.
 - 4.4.1. Areas of refuge.
 - 4.4.2. Exterior areas for assisted rescue.
 - 4.5. Refuge areas associated with *smoke barriers* and *horizontal exits*.
 - 4.6. Manual fire alarm boxes.
 - 4.7. Portable fire extinguishers.
 - 4.8. Occupant-use hose stations.
 - 4.9. Fire alarm annunciators and controls.
 - 4.10 Fire extinguishing system controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.

Section 405.4 is amended to read as follows:

405.4 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.

Section 501.4 is amended 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.

Section 503.1.1 is amended to read as follows:

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility. Except for one- or two-family dwellings, the path of measurement shall be along a minimum of a ten feet (10') wide unobstructed pathway around the external walls of the structure.

Exceptions:

1. The *fire code official* is authorized to increase the dimension of 150 feet (45,720 mm) where any of the following conditions occur:

1.1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.

1.3. There are not more than two Group R-3 or Group U occupancies.

2. Where approved by the *fire code official*, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

Section 503.1.2 is amended to read as follows.

503.1.2 Additional access. The Fire Code Official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factor that

could limit access.

Multifamily complexes and subdivisions shall be provided two points of access. The two points of access shall be a minimum of 140 feet apart.

Section 503.2.1 is amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7,315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4,267 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.

Section 503.2.2 is amended to read as follows:

503.2.2 Authority. The *fire code official* shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

Section 503.2.3 is amended to read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. All designated fire lanes shall be paved in accordance with City of Garland paving standards.

Section 503.3 is amended to read as follows:

503.3 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. 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 Code Official.

Section 503.4 is amended 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 any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

The operator of the premises shall be responsible for removal of obstructions in a fire lane. Any unauthorized vehicle or object in a fire lane is subject to removal by the operator of the premises in accordance with state law, with the expense of removal and storage to be borne by the registered owner of the vehicle/object.

The fire department and the police department may enforce this section by causing any motor vehicle parked, or other obstruction placed, in violation hereof to be towed or carried away from the premises in the same manner as a vehicle illegally parked on the public street.

503.4.1. Traffic calming devices. Traffic calming devices shall be prohibited unless *approved* by the *fire code official*.

Section 503.4 is amended by adding a new Section 503.4.2 to read as follows:

503.4.2 Loading zone and drive through service. A loading zone or drive through service window cannot coexist with a fire lane. A loading zone or drive through service window shall not be established within a fire lane.

Section 503.6 is amended to read as follows:

503.6. Security gates. The installation of security gates across a fire apparatus access road shall be *approved* by the fire code official. Where security gates are installed, the owner shall provide gates or openings which may be secured with approved Knox locking devices. Gates when provided must open fully in either

direction or be of a sliding or raised arm type. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

The main entry gates serving Group R & I occupancies shall be equipped with an approved automated entry system and be provided with an electronic Knox Key switches as well as a mechanical disconnect to allow for operation of the gate during power failure.

All entry points along the fire lane must be Knox compatible as approved by the Fire Code Official, to permit immediate access by fire personnel and equipment in the event of fire or emergency.

Section 505.1 is amended 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 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 comply with the requirements of the International Residential Code as amended and adopted by the City of Garland.

Section 506.1 is amended by adding an exception to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be of an *approved* type listed in accordance with UL 1037, and shall contain

keys to gain necessary access as required by the *fire code official*.

Exception: A private residential dwelling is not required to comply with this section, but may voluntarily install an approved key box with the approval of the fire code official.

Section 507.4 is amended 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 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*.

Section 507.5.4 is amended 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.

Section 509.1 is amended by adding a new section 509.1.2 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.

Section 603.1.2.1 is amended to read as follows:

603.3.2.1 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 such tanks shall not exceed 660 gallons (2,498 L).

Exception: The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11,356L) in accordance with all

requirements of Chapter 57.

Section 603.3.2.2 is amended to read as follows:

603.3.2.2 Restricted Use and Connection. Tanks installed in accordance with Section 603.3.2 shall be used only to supply fuel oil to fuel-burning equipment installed in accordance with Section 603.3.2.4. Connections between tanks and equipment supplied by such tanks shall be made using closed piping systems.

Section 604.1 is amended to read as follows:

604.1 General. Emergency power systems and standby power systems required by this code or the *International Building Code* shall comply with Sections 604.1.1 through 604.1.9.

604.1.1 Stationary Generators. Stationary emergency and standby power generators required by this code shall be *listed* in accordance with UL 2200.

604.1.2 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.

604.1.3 through 604.1.8 {No changes to these sections.}

604.1.9 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.

Section 604.2 is amended to read as follows:

604.2 Where Required. Emergency and standby power systems shall be provided where required by Sections 604.2.1 through 604.2.24 or elsewhere identified in this code or any other referenced code.

604.2.1 through 604.2.3 {No change.}

604.2.4 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 914.2.3

Group A Occupancies, Sections 907.2.1 and 907.5.2.2.4.

Special Amusement Buildings, Section 907.2.12.3
High-rise Buildings, Section 907.2.13
Atriums, Section 907.2.14
Deep Underground Buildings, Section 907.2.19

604.2.5 through 604.2.11 {No change.}

604.2.12 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)

604.2.13 Membrane Structures. Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6.1. (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.

604.2.14 {No change.}

604.2.15 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 410.3.7.2
Special Amusement Buildings (as applicable to Group A's), *International Building Code*, Section 411.1
Smoke Protected Seating, Section 1029.6.2.1

604.2.16 {No change.}

604.2.17 Covered and Open Mall Buildings. Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.3.

604.2.18 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.

604.2.19 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 909.20.6.2.

604.2.20 Elevator Pressurization. Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

604.2.21 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.

604.2.22 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 504.10, Item 7.

604.2.23 Hydrogen Cutoff Rooms. Standby power shall be provided for mechanical ventilation and gas detection systems of Hydrogen Cutoff Rooms in accordance with the *International Building Code*, Section 421.8.

604.2.24 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.)

604.3 through 604.7 {No change.}

604.8 Energy Time Duration. Unless a time limit is specified by the fire code official, in this chapter or elsewhere in this code, or in any other referenced code or standard, the emergency and standby power system shall be supplied with enough fuel or energy storage capacity for not less than 2-hour full-demand operation of the system.

Exception: Where the system is supplied with natural gas from a utility provider and is approved.

Section 609.2 is amended to read as follows:

609.2 Where Required. A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors, including but not limited to cooking equipment used in fixed, mobile, or temporary concessions, such as trucks, buses, trailers, pavilions, or any form of roofed enclosure, as required by the fire code official.

Exceptions:

1. Tents, as provided for in Chapter 31.
2. A Type I hood shall not be required for an electric cooking appliance where an approved testing agency provides documentation that the appliance effluent contains 5 mg/m³

or less of grease when tested at an exhaust flow rate of 500 cfm (0.236 m³/s) in accordance with UL 710B. Additionally, fuel gas and power provided for such cooking appliances shall be interlocked with the extinguishing system, as required by Section 904.12.2. Fuel gas containers and piping/hose shall be properly maintained in good working order and in accordance with all applicable regulations.

Section 704.1 is amended to read as follows:

704.1 Enclosure. Interior vertical shafts including, but not limited to, *stairways*, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 11. New floor openings in existing buildings shall comply with the *International Building Code*.

Section 807.3 is amended to read as follows:

807.3 Combustible Decorative Materials. In occupancies in Groups A, E, I, and R-1, and dormitories in Group R-2, curtains, draperies, fabric hangings and other similar combustible decorative materials suspended from walls or ceilings shall comply with Section 807.4 and shall not exceed 10 percent of the specific wall or ceiling area to which they are attached.

Section 807.5.2.2 is amended 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.

Section 807.5.2.3 is amended to read as follows:

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.

Section 807.5.5.2 is amended 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.

Section 807.5.2.3 is amended to read as follows:

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.

Section 901.4.3 is deleted.

Section 901.4.6 is amended by adding Section 901.4.6.1 to read as follows:

901.4.6.1 Pump and Riser Room. When located on the ground level, the fire pump or sprinkler riser room shall be located at an exterior wall and provided with an exterior fire department access door that is not less than three (3) feet in width and six feet, eight inches (6' 8") 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. The exterior door shall be marked "FIRE RISER ROOM" or "FIRE PUMP ROOM" in accordance with Section 509.1.2.

Exception: When it is necessary to locate the fire sprinkler riser room on other levels, the corridor leading to the fire sprinkler riser room access from the exterior of the building shall be provided with a minimum one hour fire resistance, or as approved by the Building Code Official. Access keys shall be provided in the key box as required by Section 506.1.

Section 901.6.1 is amended by adding 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 back flushed when foreign material is present, 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*.

Section 901.6.3 is amended by adding Section 901.6.3 to read as follows:

901.6.3 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.

Section 901.7 is amended 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.

Where utilized, fire watches shall be provided with not less than one *approved* means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

Section 901.7.1 thru 901.7 remain unchanged.

Section 901.8.2 is amended to read as follows:

901.8.2 Removal of Occupant-use Hose Lines. The *fire code official* is authorized to permit the removal of occupant-use hose lines and hose valves where all of the following conditions exist:

1. The hose line(s) would not be utilized by trained personnel or the fire department.
2. If the occupant-use hose lines are removed, but the hose valves are required to remain as per the fire code official, such shall be compatible with local fire department fittings.

Section 903.1.1 is amended to read as follows:

903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as *approved by the fire code official*.

Section 903.2 is amended to read as follows:

903.2 Where required. *Approved automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

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."

Section 903.2.1 is amended to read as follows:

903.2.1 Group A. An *automatic sprinkler system* shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the *automatic sprinkler system* shall be provided throughout the story where the *fire area* containing the Group A-1, A-2, A-3 or A-4 occupancy is located, and throughout all stories from the Group A occupancy to, and including, the *levels of exit discharge* serving the Group A occupancy. For Group A-5 occupancies, the *automatic sprinkler system* shall be provided in the spaces indicated in Section 903.2.1.5.

903.2.1.1 Group A-1. An *automatic sprinkler system* shall be provided for *fire areas* containing Group A-1 occupancies and intervening floors of the building where one of the following conditions exists:

1. The *fire area* exceeds 5000 square feet (464m²).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.
4. The *fire area* contains a multitheater complex.

Section 903.2.1.2 remains unchanged.

Section 903.2.1.3 is amended to read as follows:

903.2.1.3 Group A-3. An *automatic sprinkler system* shall be provided for *fire areas* containing Group A-3 occupancies and intervening floors of the building where one of the following conditions exists:

1. The *fire area* exceeds 5000 square feet (464m²).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a level of *exit discharge* serving such occupancies.

Section 903.2.1.4 is amended to read as follows:

903.2.1.4 Group A-4. An *automatic sprinkler system* shall be provided for *fire areas* containing Group A-4 occupancies and intervening floors of the building where one of the following conditions exists:

1. The *fire area* exceeds 5000 square feet (464m²).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a level of *exit discharge* serving such occupancies.

Sections 903.2.1.5 thru 903.2.2 remain unchanged.

Section 903.2.3 is amended to read as follows:

903.2.3 Group E. An automatic sprinkler system shall be provided throughout buildings containing a Group E occupancy where one of the following conditions exists:

1. Throughout all Group E *fire areas* greater than 5,000 square feet (464 m²) in area.
2. Throughout every portion of educational buildings below the lowest level of *exit discharge* serving that portion of the building.

Exception: An *automatic sprinkler system* is not required in any area below the lowest level of *exit discharge* serving that area where every classroom throughout the building has not fewer than one exterior *exit door* at ground level.

Section 903.2.4 is amended to read as follows:

903.2.4 Group F -1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 *fire area* exceeds 5,000 square feet (464 m²).
2. A Group F-1 *fire area* is located more than two stories above grade plane.

3. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

903.2.4.1 Woodworking operations. An *automatic sprinkler system* shall be provided throughout all Group F-1 occupancy *fire areas* that contain woodworking operations in excess of 2,500 square feet in area (232m²) that generate finely divided combustible waste or use finely divided combustible materials.

Sections 903.2.5 thru 903.2.6 remain unchanged.

Section 903.2.7 is amended to read as follows:

903.2.7 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds, 5,000 square feet (464 m²).
2. A Group M *fire area* is located more than two stories above grade plane.

903.2.7.1 High-piled storage. An *automatic sprinkler system* shall be provided as required in Chapter 32 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

Section 903.2.8 is amended by adding new Section 903.2.8.5 to read as follows:

903.2.8.5 Existing Residential R-1 and R-2 Occupancies. In R-1 and R-2 occupancies where a fire has occurred that displaces occupants of 50-percent or more of the occupancy's units, the affected building shall be fire-sprinkled prior to re-occupancy of the building.

Section 903.2.9 is amended to read as follows:

903.2.9. Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 Occupancy where one of the following conditions exists:

1. A Group S-1 *fire area* exceeds 5,000 square feet (464 m²).
2. A Group S-1 *fire area* is located more than two stories above grade plane; or
3. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2500 square feet (232m²).

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the Building Code as adopted and amended by the Code of Ordinances, as shown:

1. Buildings having two or more stories above grade plane, including *basements*, with a *fire area* containing a repair garage exceeding 3,500 square feet.
2. Buildings not more than one story above grade plane, with a *fire area* containing a repair garage exceeding 5,000 square feet.
3. Buildings with repair garages servicing vehicles parked in *basements*.
4. A Group S-1 *fire area* used for the repair of commercial trucks or busses where the *fire area* exceeds 2,500 square feet.

903.2.9.2 Bulk storage of tires. Buildings and structures that contain an area for the storage of tires that exceeds 1,000 square feet shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.9.3 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

A screen shall be installed at eighteen (18) inches below the level of the sprinkler heads to restrict storage above that level. This screen shall be a mesh of not less than one (1) inch and not greater than six (6) inches in size. The screen and its supports shall be installed such that all elements are at least eighteen (18) inches below any sprinkler heads.

Section 903.2.11 is to read as follows:

903.2.11 Specific buildings areas and hazards. In all occupancies other than Group U, an *automatic sprinkler system* shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.10.

Sections 903.2.11.1 thru 903.2.11.2 remain unchanged.

903.2.11.3 Buildings 35 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories, other than penthouses in compliance with Section 1510 of the *International Building Code*, as adopted and amended by the Code of Ordinances located 35 feet (10,668 mm)

or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

1. Open parking structures in compliance with Section 406.5 of the *International Building Code*, as adopted and amended by the Code of Ordinances, *having no other occupancies above the subject garage.*

Sections 903.2.11.4 thru 903.2.11.6 remain unchanged.

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4,572 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 5,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area greater than 5,000 square feet and in all existing buildings that are enlarged to be greater than 5,000 square feet. For the purpose of this provision, fire walls, fire barriers, or horizontal assemblies shall not define separate buildings.

Exceptions:

1. Open parking garages in compliance with Section 406.5 of the *International Building Code*.
2. When of non-combustible construction, the area of awning extension or free-standing canopies, both sides, and not used for display or storage shall not be considered for requiring sprinkler protection for areas greater than 5,000 square feet but less than otherwise required in this code.
3. Except for H and I occupancies, an addition with less than 1,000 square feet may be separated from the existing building without causing either the addition or the existing building to be sprinklered. The separation shall be a two (2) hour fire barrier for Types II and V construction and a three (3) hour fire barrier for other types of construction.

903.2.11.10. Expanded Tenant Spaces. Fire sprinklers shall be installed in all tenant spaces where the total fire area exceeds 5,000 square feet. For the purpose of fire sprinklers, fire walls, fire barriers, or horizontal assemblies shall not be used to separate single tenant fire areas.

Section 903.3.1.1.1 is amended 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 rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely 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 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. Elevator machine rooms, machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.

Section 903.3.1.2 is amended by adding a new Section 903.3.1.2.3 to read as follows:

903.3.1.2.3 Attics and Storage Units. Sprinkler systems installed in accordance with NFPA 13R shall include sprinkler protection in combustibles attics of buildings two (2) or more stories in height and in storage units located in the path of egress.

Section 903.3.1.3 is amended to read as follows:

903.3.1.3 NFPA 13D Sprinkler Systems. *Automatic sprinkler systems* installed in one- and two-family *dwelling*s; 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.

903.3.1.3.1 Garages. When fire sprinkler systems are required, garages with living space above shall have fire sprinkler protection.

Section 903.3.1.4 is added 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, pre-action, 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.

Section 903.3.5 is amended to read as follows:

903.3.5 Water supplies. Water supplies for *automatic sprinkler systems* shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the *International Plumbing Code*. For connections to public waterworks systems, the water supply test used for design of fire protection systems shall be adjusted to account for seasonal and daily pressure fluctuations based on information from the water supply authority and as approved by the *fire code official*. 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.

903.3.5.1 Domestic services. Where the domestic service provides the water supply for the *automatic sprinkler system*, the supply shall be in accordance with this section.

903.3.5.2 Residential combination services. A single combination water supply shall be allowed provided that the domestic demand is added to the sprinkler demand as required by NFPA 13R.

Section 903.4 is amended to read as follows:

903.4 Sprinkler system supervision and alarms. Valves controlling the water supply for *automatic sprinkler systems*, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a *listed* fire alarm control unit.

Exceptions:

1. *Automatic sprinkler systems* protecting one- and two family dwellings.
2. Limited area sprinkler systems in accordance with Section 903.3.8.
3. *Automatic sprinkler systems* installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the *automatic sprinkler system*, and a separate shutoff valve for the *automatic sprinkler system* is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

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 a minimum of 45 seconds and not more than 90 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.

Section 903.4.1 remains unchanged.

Section 903.4.2 is amended to read as follows:

903.4.2 Alarms. An approved audible device, located on the exterior of the building in an *approved* location, shall be connected to each *automatic sprinkler system*. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the *automatic sprinkler system* shall actuate the building fire alarm system.

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 exterior riser room door.

Section 903.4.3 remains unchanged.

Section 904.3 is amended by adding a new Section 904.3.4.1 to read as follows:

904.3 .4.1 Commercial cooking operations. Upon activation of an automatic fire extinguishing system, an audible alarm shall be provided to notify the occupants that the system has activated.

Section 904.12.6.2 is amended to read as follows:

904.12.6.2 Extinguishing system service. Automatic fire-extinguishing systems shall be serviced at least every six (6) months and after activation of the system. Inspection shall be by qualified individuals, and a certificate of inspection shall be forwarded to the Fire Code Official upon completion.

Exception: When approved by the Fire Code Official, automatic fire extinguishing systems may be inspected annually provided the cooking operations do not produce grease-laden vapors. Maintenance and cleaning shall comply with NFPA 96. Request for annual inspection approval must be in writing and specifically state no frying or cooking that would produce grease-laden vapors will be used.

Section 905.3.4 is deleted.

Section 905.3 is amended by adding a new Section 905.3.9 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 (6,0960 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 and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.

Section 905.4 is amended to read as follows:

905.4 Location of Class I standpipe hose connections.

Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required *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*.

2. On each side of the wall adjacent to the *exit* opening of a horizontal *exit*.

Exception: Where floor areas adjacent to a horizontal *exit* are reachable from an *exit stairway* hose connection by a 30-foot (9,144 mm) hose stream from a nozzle attached to 100 feet (30,480 mm) of hose, a hose connection shall not be required at the horizontal *exit*.

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 *exit stairway* hose connection by a 30-foot (9,144 mm) hose stream from a nozzle attached to 100 feet (30,480 mm) of hose, a hose connection shall not be required at the entrance from the *exit* passageway to other areas of the building.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an *exit* passageway or *exit corridor* to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an *exit* passageway or *exit corridor* to the mall.

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located to serve the roof or at the highest landing of an *exit stairway* with access to the roof provided in accordance with Section 1011.12.

6. Where the most remote portion of a nonsprinklered floor or story is more than 150 feet (45,720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60,960 mm) from a hose connection, the *fire code official* is authorized to require that additional hose connections be provided in *approved* locations.

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*.

Sections 905.4.1 and 905.4.2 remain unchanged.

Section 905.5 is deleted.

Section 905.6 is deleted.

Section 905.8 is amended 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.

Manual dry systems shall have approved Knox locking caps on the fire department connections.

Section 905.9 is amended to read as follows:

905.9 Valve supervision. Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4.

Where a fire alarm system is provided, a signal shall be transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

2. Valves locked in the normal position and inspected as provided in this code in buildings not equipped with a fire alarm system.

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 a minimum of 45 seconds and not more than 90 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.

Section 907.1 is amended by adding a new Section 907.1.4 to read as follows:

907.1.4 Design Standards. All alarm systems new or replacement systems shall be addressable. Alarm systems serving more than 20 initiating devices shall be analog addressable.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after March 2006 exceeds 30-percent of the system. When cumulative building remodel or expansion exceeds 50-percent of the building must

comply within 18 months of permit application.

Section 907.2.1 is amended 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 having an occupant load of 300 or more persons or 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: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

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.

Sections 907.2.1.1 and 907.2.1.2 remain unchanged.

Section 907.2.3 is amended to read as follows:

907.2.3 Group E. An automatic 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 all Group E educational occupancies to include Group E daycares. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. 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. Where automatic sprinkler system is provided, smoke detection may be omitted from general education classrooms, corridors, offices, cafeterias, and gymnasiums.

Exceptions:

1. An automatic fire alarm system is not required in Group E occupancies with an *occupant load* of 30 or less when provided with an approved automatic sprinkler system.
 - 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.)
2. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the fire alarm system initiates an *approved* occupant notification signal in accordance with Section 907.5.
3. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
 - 4.1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1.
 - 4.2. The emergency voice/alarm communication system will activate on sprinkler water flow.
 - 4.3. Manual activation is provided from a normally occupied location.

907.2.6 Group I. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group I occupancies. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be provided in accordance with Sections 907.2.6.1, 907.2.6.2, 907.2.6.3.3 and 907.2.6.4.

Exceptions remain unchanged

Sections 907.2.6.1 thru 907.2.6.3.3 remain unchanged.

Section 907.2.6 is amended by the addition of the following:

907.2.6.4. Group 1-4 Occupancies. Group I-4 occupancies shall be equipped with a manual fire alarm system and automatic smoke detections system.

Section 907.2.13 is amended to read as follows:

907.2.13 High-rise buildings. High-rise buildings shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in

accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.22 of this code and Section 412 of the *International Building Code*.
2. Open parking garages in accordance with Section 406.5 of the *International Building Code*.
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.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the *International Building Code*.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the *International Building Code*.
6. In Group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and occupant notification shall be broadcast by the emergency voice/alarm communication system.

Section 907.4.2 is amended to read as follows:

907.4.2 Manual fire alarm boxes. Where a manual fire alarm system is required by another section of this code, it shall be activated by fire alarm boxes installed in accordance with Sections 907.4.2.1 through 907.4.2.7.

Sections 907.4.2.1 thru 907.4.2.6 remain unchanged.

907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.

Section 907.6 is amended to read as follows:

907.6 Installation and monitoring. A fire alarm system shall be installed and monitored in accordance with Sections 907.6.1 through 907.6.6.2 and NFPA 72. Fire alarm systems shall be installation only by personnel licensed and certified by the State of Texas Fire Marshal's Office for Fire Alarm Systems.

907.6.1 Wiring. Wiring shall comply with the requirements of NFPA 70 and NFPA 72. Wireless protection systems utilizing radio-frequency transmitting devices shall comply with the special requirements for supervision of low-power wireless systems in NFPA 72.

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.

Section 907.6.2 remains unchanged.

907.6.3 Initiating device identification. The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate.

907.6.3.1 Annunciation. The initiating device status shall be annunciated at an *approved* on-site location.

Sections 907.6.4 and 907.6.5 remain unchanged.

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the *International Building Code* shall be monitored by an *approved* supervising station in accordance with NFPA 72. See 907.6.3 for the required information transmitted to the supervising station.

Exception: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. *Automatic sprinkler systems* in one- and two-family dwellings.

907.6.6.1 Automatic telephone-dialing devices. Automatic telephone-dialing devices used to transmit an emergency alarm shall not be connected to any fire department telephone number unless *approved* by the fire chief.

907.6.6.2 Termination of monitoring service. Termination of fire alarm monitoring services shall be in accordance with Section 901.9.

Section 907.8 is amended to read as follows:

907.8 Inspection, testing and maintenance. The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with Sections 907.8.1 through 907.8.6 and NFPA 72. Records of inspection, testing and maintenance shall be maintained. All inspection, testing and maintenance shall be performed only by personnel licensed and certified by the State of Texas Fire Marshal's Office for fire alarm systems.

Sections 907.8.1 thru 907.8.4.1 remain unchanged.

907.8.5 Inspection, testing and maintenance. The building *owner* shall be responsible to maintain the fire and life safety systems in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 and certified by the State of Texas Fire Marshal's Office for fire alarm systems for inspection, testing and maintenance of such systems. Records of inspection, testing and maintenance shall be maintained.

Section 907.8.6 is added to read as follows:

907.8.6 Private or Governmental Entities. Business, private or governmental entities, employing a full-time technician or technicians for the purpose of maintaining a fire alarm system on the premises of such entity, shall not be subject to the provisions of Section 907.8, requiring maintenance, and repair of a fire alarm system by a state-licensed fire alarm company, if the owner, occupant, and technician(s) comply fully with the following provisions:

1. The alarm system on their premises shall be installed and maintained in accordance with local rules, State of Texas Fire Marshal's Fire Alarm Rules 5.43-2, NFPA 72, and other applicable requirements. The technician or a state-licensed alarm company shall respond forthwith to a failure or malfunction of the alarm system and shall initiate corrective action. In every event response and initiation of corrective action shall be within 24 hours and provide notification to the Fire Marshal's Office.
2. The owner or occupant shall designate in writing to the Fire Code Official the specific full-time technician or technicians responsible for the installation, modification, and maintenance of the fire alarm system on their premises.

No one other than the designated technician(s) or a state-licensed fire alarm company may work on the fire alarm system. 3. Prior to qualifying for this exception, evidence of the competence of all designated technicians shall be provided to the Fire department. Proof that one or more of the following criteria are met shall satisfy the evidence requirement of this Section:

- a. The technician currently holds or has within the immediate preceding three (3) years held a State of Texas fire alarm technician license.
- b. The technician has passed the State Fire Marshal Fire Alarm technician license test within the last 3 years.
- c. The technician holds a NICET II certification or better.
- d. The technician has completed certification training by the manufacturer of the fire system to be maintained. The technician shall produce proof of certification acceptable to the Fire Code Official and be restricted to maintenance only of the systems for which they have been certified.

4. The technician shall test the alarm system prior to September 1st each year.

A copy of the test is to be delivered to the Fire Marshal's office within 10 days of the test date.

Section 909.22; add to read as follows:

909.22 Stairway or Ramp Pressurization Alternative. Where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and the stair pressurization alternative is chosen for compliance with Building Code requirements for a smokeproof enclosure, interior exit stairways or ramps shall be pressurized to a minimum of 0.10 inches of water (25 Pa) and a maximum of 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect. Such systems shall comply with Section 909, including the installation of a separate fire-fighter's smoke control panel as per Section 909.16, and a Smoke Control Permit shall be required from the fire department as per Section 105.7.

909.22.1 Ventilating equipment. The activation of ventilating equipment for the stair or ramp pressurization system shall be by smoke detectors installed at each floor level at an approved location at the entrance to the smokeproof enclosure. When the closing device for the stairway or ramp shaft and vestibule doors

is activated by smoke detection or power failure, the mechanical equipment shall activate and operate at the required performance levels. Smoke detectors shall be installed in accordance with Section 907.3.

909.22.1.1 Ventilation Systems. Smokeproof enclosure ventilation systems shall be independent of other building ventilation systems. The equipment, control wiring, power wiring and ductwork shall comply with one of the following:

1. Equipment, control wiring, power wiring and ductwork shall be located exterior to the building and directly connected to the smokeproof enclosure or connected to the smokeproof enclosure by ductwork enclosed by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

2. Equipment, control wiring, power wiring and ductwork shall be located within the smokeproof enclosure with intake or exhaust directly from and to the outside or through ductwork enclosed by not less than 2-hour barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

3. Equipment, control wiring, power wiring and ductwork shall be located within the building if separated from the remainder of the building, including other mechanical equipment, by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

Exceptions:

1. Control wiring and power wiring utilizing a 2-hour rated cable or cable system.

2. Where encased with not less than 2 inches (51 mm) of concrete.

3. Control wiring and power wiring protected by a listed electrical circuit protective systems with a fire-resistance rating of not less than 2 hours.

909.22.1.2 Standby Power. Mechanical vestibule and stairway and ramp shaft ventilation systems and automatic fire detection systems shall be provided with standby power in accordance with Section 2702 of the Building Code.

909.22.1.3 Acceptance and Testing. Before the mechanical equipment is approved, the system shall be tested in the presence of the fire code official to confirm that the system is operating in compliance with these requirements.

Section 910.2; change Exception 2. and 3. to read as follows:

2. Only manual smoke and heat removal shall 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 be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m \cdot S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

Section 910.2; add subsections 910.2.3 with exceptions 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 (1,394 m²) 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.

Section 910.3; add section 910.3.4 to read as follows:

910.3.4 Vent Operation. Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

910.3.4.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically.

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only systems per Section 910.2.

910.3.4.2 Nonsprinklered Buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-

responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Listed gravity-operated drop out vents.

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 (1,829 mm) of the floor level. Operation of makeup air openings shall be 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.

Section 910.4.4; change to read as follows:

910.4.4 Activation. The mechanical smoke removal system shall be activated automatically by the automatic sprinkler system or by an approved fire detection system. Individual manual controls shall also be provided.

Exception: Manual only systems per Section 910.2.

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.

Sec. 913.4 is amended to read as follows:

913.4. Supervision. Where provided, the fire pump's suction, discharge and bypass valves, and the isolation valves on the backflow prevention devices or assembly shall be supervised open by a central-station, proprietary, or remote-station signaling service.

The fire-pump system shall also be supervised for "loss of power", and "phase reversal" on supervisory circuits, and "pump running" as an alarm condition and shall report individually to the monitoring station.

Section 914.3.1.2; change to read as follows:

914.3.1.2 Water Supply to required Fire Pumps. In buildings that are more than 120 feet (36.576 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.}

Section 1006.2.2.6 is changed and; add a new Section 1006.2.2.6 as follows:

1006.2.2 Egress based on use. The numbers of *exits* or access to *exits* shall be provided in the uses described in Sections 1006.2.2.1 through 1006.2.2.6.

1006.2.2.6 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the Electrical Code as adopted.

Section 1009.1; add the following Exception 4:

Exceptions:

{Previous exceptions unchanged}

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009.

Section 1010.1.9.4 Bolt Locks; change Exceptions 3 and 4 to read 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}*

Section 1015.8 Window Openings; change number 1 to read as follows:

1. Operable windows where the top of the sill of the opening is located more than 55 (16 764 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F 2006.

Section 1020.1 Construction; add Exception 6 to read as follows:

6. In 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 shall activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors shall be connected to an approved automatic fire alarm system where such system is provided.

Section 1031.2; change to read as follows:

1031.2 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. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress.

Section 1103.3; add sentence to end of paragraph as follows:

Provide emergency signage as required by Section 607.3.

Section 1103.5 is amended to read as follows; and add Section 103.5.1 and 1103.5.5 to read as follows:

1103.5 Sprinkler systems. An *automatic sprinkler system* shall be provided in existing buildings in accordance with Sections 1103.5.1 through 1103.5.5.

1103.5.1 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.

Section 1103.5; add Section 1103.5.5 to read as follows:

1103.5.5 Existing Residential R-1 and R-2 Occupancies. In R-1 and R-2 occupancies where a fire has occurred that displaces occupants of 50-percent or more of the occupancy's units, the affected building shall be fire-sprinkled prior to re-occupancy of the building.

Section 1103.7; add Section 1103.7.8 and 1103.7.8.1 to read as follows:

1103.7.8 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.

1103.7.8.1 Communication requirements. Refer to Section 907.6.6 for applicable requirements.

Section 2304.1; change to read as follows:

2304.1 Supervision of Dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with 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.

Section 2401.2; delete this section.

Table 3206.2, footnote j; change text to read as follows:

j. 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 $50 (m \cdot s)^{1/2}$ 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.

Section 3310.1; add sentence to end of paragraph to read as follows:

When fire apparatus access roads are required to be installed for any structure or development, they shall be approved prior to the time at which construction has progressed beyond completion of the foundation of any structure.

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, storage, and handling of fireworks as allowed in Section 5604 and 5608.
2. The use of fireworks for approved fireworks displays as allowed in Section 5608.

Section 5604.1 is amended to read as follows:

5604.1 General. Storage of explosives and explosive materials, small arms ammunition, small arms primers, propellant-actuated cartridges and smokeless propellants in magazines shall comply with the provisions of this Section.

The storage of explosives and blasting agents other than as otherwise provided is prohibited in any zoning district other than an industrial district, a planned development district where such storage is authorized by the adopting ordinance, and those locations where allowed under a specific use permit.

Section 5703.6; add a sentence to read as follows:

5703.6 Piping Systems. Piping systems, and their component parts, for flammable and combustible liquids shall be in accordance with Sections 5703.6.1 through 5703.6.11. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

Section 5704.2.7; add a sentence to read as follows:

5704.2.7 Design, fabrication and construction requirements for tanks. The design, fabrication and construction of tanks shall comply with NFPA 30. Each tank shall bear a permanent nameplate or marking indicating the standard used as the basis of design. Secondary containment shall be provided for all Above and Underground Storage Tanks (UST) and product lines in the form of double wall tanks and piping. Alternate methods of secondary containment may be used if approved by the Fire Code Official.

Sec. 5704.2.9.6.1 is amended to read as follows:

5704.2.9.6.1. Location Where Above-Ground Tanks are Prohibited. The storage of flammable or combustible liquids in outside above ground tanks is prohibited within each and every zoning district within the City of Garland with the exception of those districts which are zoned for industrial zoning use. Installation of above ground tanks in other than industrial zoning districts shall be permitted at the discretion of the Fire Code Official following a review of the proposed installation location, and the fire protection for the storage area. Tanks shall not be located within one hundred feet (100') of the property line of any Group E, I or R occupancies.

Section 5704.2.9.5; change Section 5704.2.9.5 and add Section 5704.2.9.5.3 to read as follows:

5704.2.9.5 Above-ground Tanks Inside of Buildings. Above-ground tanks inside of buildings shall comply with Section 5704.2.9.5.1 through 5704.2.9.5.3.

5704.2.9.5.1 {No change.}

5704.2.9.5.2 {No change.}

5704.2.9.5.3 Combustible Liquid Storage Tanks Inside of Buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11,356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 5704.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11,356 L) quantity shall be stored in protected above-ground tanks;
2. The 3,000 gallon (11,356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;
3. The tanks shall be located in a room protected by an *automatic sprinkler system* complying with Section 903.3.1.1; and
4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an *approved* closed piping system.

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 5003.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.

5704.2.11 Underground tanks. Underground storage of flammable and *combustible liquids* in tanks shall comply with Section 5704.2 and Sections 5704.2.11.1 through 5704.2.11.4.2.

5704.2.11.1 Location. Flammable and combustible liquid storage tanks located underground, either outside of or under buildings, shall be in accordance with this Section, and the City's Health Department written policy for tank removal and installation.

1. Tanks shall be located with respect to existing foundations and supports such that the loads carried by the latter cannot be transmitted to the tank.
2. The distance from any part of a tank storing liquids to the nearest wall of a basement, pit, cellar or lot line shall not be less than three (3) feet.
3. A minimum distance of one (1) foot, shell to shell, shall be maintained between underground tanks.

Section 5704.2.11.4; add a sentence to read as follows:

5704.2.11.4 Leak Prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through 5704.2.11.4.3. An *approved* method of secondary containment shall be provided for underground tank and piping systems.

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.

Section 5704.2.11.4; add Section 5704.2.11.4.3 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.

5704.2.13.1.3 Out of service for one year. Underground tanks that have been out of service for a period of one year shall be removed from the ground in accordance with Section 5704.2.14.

Section 5704.2.13.1.4 is deleted.

Section 6103.2.1; add Section 6103.2.1.8 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.

Section 6104.2, Exception; add an exception 2 to read as follows:

Exceptions:

1. *{existing text unchanged}*
2. Except as permitted in Sections 308 and 6104.3.2, LP-gas containers are not permitted in residential areas.

Section 6104.3; add Section 6104.3.3 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.

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 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.

Section 3

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 4

That Chapter 21, "Fire Prevention," of the Code of Ordinances of the City of Garland, Texas, amended, shall be and remain in full force and effect save and except as amended in this Ordinance.

Section 5

That the terms and provisions of this Ordinance are severable and

are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

That this Ordinance shall be and become effective 30 days after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2016.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND POLICY REPORT

City Council Regular Session Agenda

Agenda Item 6.

Meeting Date: August 16, 2016

Item Title: IH-30 CORRIDOR CATALYST AREA REVITALIZATION PLAN

Submitted By: Will Guerin, Planning Director

Council Goal: Sustainable Quality Development and Redevelopment

ISSUE

Consider a contract with Freese and Nichols, Inc. for consulting services for the IH-30 Corridor Catalyst Area Revitalization Plan

RECOMMENDATION

If so directed by City Council, the City Manager will enter into an agreement with Freese & Nichols, Inc. in the amount of \$137,500.00 for the development of the IH-30 Corridor Catalyst Area Revitalization Plan. Each document has been reviewed by the City Attorney's Office.

BACKGROUND

The Envision Garland Plan, adopted in 2012, identifies seven catalyst areas for strategic reinvestment. Catalyst areas are intended to highlight key opportunities to revitalize and modernize the City's development pattern. Each area's unique character highlights the importance of area-specific redevelopment strategies. A high visibility corridor, IH-30 has the potential for reinvestment and image enhancement to attract residents, visitors, businesses, and passersby to the area.

At the previous work session on August 1, 2016, there was discussion of possibly adding the IH-30/Broadway Target Investment Area (TIA) to the scope of the program. The consultant has added the TIA into the scope of services, and the updated fee of \$137,500 reflects this change; the previous fee which did not include the IH-30/Broadway TIA was \$110,000.

CONSIDERATION

1. The Envision Garland Plan, Economic Development Goal 5, recommends an aggressive approach to encourage new development and redevelopment in select catalyst areas and to make strategic public investments to leverage private investment and reinvestment in residential, commercial, and mixed-use development.
2. The IH-30 Corridor has many assets, including greenfield sites along a high volume interstate highway, with the potential to draw additional visitors into Garland. The IH-30 Corridor provides prime potential for reinvestment and image enhancement for Garland. Completing a plan for the area offers an opportunity to better position the City to

address the impacts of development in adjacent communities.

3. The scope of work for the IH-30 Corridor plan formalizes the Envision Garland Plan Catalyst Area program to create a sustainable physical and economic development program for the future. Project deliverables will provide a market assessment providing a base of information for the identification of market-driven opportunities along the corridor. Detailed assessments will identify both short-term and long-term strategies for implementation. Area stakeholders will be engaged throughout the planning process.

Attachments

IH-30 Corridor Catalyst Area Contract

IH-30 Corridor Catalyst Area Attachments

PROFESSIONAL SERVICES RETAINER AGREEMENT

This Agreement is made and entered into between the City of Garland, Texas ("City"), and Freese and Nichols, Inc. ("Consultant").

W I T N E S S E T H

For and in consideration of the agreements contained herein, City and Consultant agree as follows:

1. Retention of Consultant. City hereby retains Consultant to create a Catalyst Area Program to implement the Catalyst Area initiative described in the Envision Garland comprehensive development plan adopted by the City in 2012. Creation of the Catalyst Area Program shall be accomplished by Consultant's completion of the tasks set forth in Attachment "A" to this Agreement (the "Scope of Work IH 30 Corridor"). Consultant represents, based upon its professional experience and expertise, that all tasks necessary to create the plan contemplated herein are contained within Attachment A.

2. Compensation and Time for Performance.

(A) City shall pay Consultant for the services of Consultant a fixed fee of \$137,500.

(B) The City will make interim payments of the fixed fee to Contractor within thirty days of satisfactory completion of each milestone event in accordance with the Fee Schedule attached hereto as Attachment B, and receipt of Contractor's invoice.

(C) Consultant shall begin work under this Agreement immediately after receiving notice to proceed. Notice to proceed shall be deemed to have been given upon the City's execution and return of a copy of the Agreement to Consultant. The work shall be completed in accordance with the schedule attached hereto as Attachment C.

3. Records and Billing. Consultant shall maintain records of all work done on behalf of the City and of all expenses incurred for which Consultant seeks payment or reimbursement. Bills for Consultant's expenses are payable within thirty (30) days of receipt by the City.

4. Status of Consultant. Consultant acknowledges that Consultant is an independent contractor of the City and that Consultant is not an employee, agent, official or representative of the City. Consultant shall not represent, either expressly or through implication, that Consultant is an employee, agent, official or representative of the City. Income taxes, self-employment taxes, social security taxes and the like are the sole responsibility of the Consultant. *Consultant agrees to indemnify and hold the City, its agents, employees and representatives harmless from and against any loss, cost, damages or expenses (including attorney and expert witness fees) arising from or attributable to the negligent performance, errors or omissions, or wilful misconduct of Consultant or its sub-consultants under this Agreement whether attributable solely to Consultant or jointly to and between Consultant and others, and including liability arising from strict or other non-fault based liability. In the event of concurrent negligence on the part of Consultant and an indemnified party, Consultant's indemnification obligation shall be limited to the degree of fault apportioned to Consultant and its sub-consultants.*

5. Termination. Either party may terminate this Agreement at any time, at will and

without cause, thirty (30) days after delivery of written notice of termination to the other party. In the event the City terminates this Agreement and Consultant is not in default or in breach of this Agreement, City agrees to pay Consultant for all services actually performed and for expenses actually incurred as of the day of termination provided that such services and expenses conform to the terms of this Agreement. In the event Consultant terminates this Agreement and the City is not in default, the City shall have no obligation for payment to the Consultant.

6. Notices. Any notice required or desired to be given to either party hereto shall be deemed to be delivered: (i) on the date of delivery, if hand delivered; (ii) one (1) day after sending, if sent by overnight courier; or (iii) three (3) days after the same is posted in a U.S. mail receptacle, postage prepaid, to the address of the applicable party set out below such party's signature hereinbelow, if sent by mail. Either party hereto may change such party's address for notice to another address within the United States of America, but until written notice of such change is actually received by the other party, the last address of such party designated for notice shall remain such party's address for notice.

7. No Assignment. Neither party shall have the right to assign that party's interest in this Agreement without the prior written consent of the other party.

8. Severability. If any term or provision of this Agreement is held to be illegal, invalid or unenforceable, the legality, validity or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable.

9. Waiver. Either party shall have the right to waive any requirement contained in this

Agreement, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended.

10. Governing Law; Venue. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. This Agreement is performable in Dallas County, Texas, and exclusive venue for any action arising out of this Agreement shall be in Dallas County, Texas.

11. Paragraph Headings; Construction. The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. The parties acknowledge that they have read and participated in the preparation of this Agreement so that this Agreement shall not be construed either more or less strongly in favor of or against either party.

12. Binding Effect. Except as limited herein, the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.

13. Counterparts. This Agreement has been executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

14. Relationship of Parties. Nothing contained in this Agreement shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the parties, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the parties hereto shall be deemed to create any

relationship between the parties other than the relationship of an independent contractor.

15. Exhibits. All exhibits attached hereto are incorporated herein by reference for all purposes wherever reference is made to the same provided that, to the extent of any conflict between the terms of this Agreement and the terms of any exhibit, the terms of this Agreement shall control.

16. Non-Collusion. Consultant represents and warrants that Consultant has not given, made, promised or paid, nor offered to give, make, promise or pay any gift, bonus, commission, money or other consideration to any person as an inducement to or in order to obtain the work to be provided to the City under this Agreement. Consultant further agrees that Consultant shall not accept any gift, bonus, commission, money, or other consideration from any person (other than from the City under this Agreement) for any of the services performed by Consultant under or related to this Agreement. If any such gift, bonus, commission, money, or other consideration is received by or offered to Consultant, Consultant shall immediately report that fact to the City and, at the sole option of the City, the City may elect to accept the consideration for itself or to take the value of such consideration as a credit against the compensation otherwise owing to Consultant under this Agreement.

17. Ownership of Documents. Upon completion or termination of this Agreement, all documents prepared by Consultant or furnished to the Consultant by the City shall be delivered to and become the property of the City.

18. Disclosure of Business Relationships/Affiliations; Conflict of Interest Questionnaire. Consultant represents that it is in compliance with the applicable filing and disclosure requirements of Chapter 176 of the Texas Local Government Code.

19. Dispute Resolution. In accordance with the provisions of Subchapter I, Chapter 271, TEX. LOCAL GOV'T CODE, the parties agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this agreement, the parties will first attempt to resolve the dispute by taking the following steps: (1) A written notice substantially describing the nature of the dispute shall be delivered by the dissatisfied party to the other party, which notice shall request a written response to be delivered to the dissatisfied party not less than 5 days after receipt of the notice of dispute. (2) If the response does not reasonably resolve the dispute, in the opinion of the dissatisfied party, the dissatisfied party shall give notice to that effect to the other party whereupon each party shall appoint a person having authority over the activities of the respective parties who shall promptly meet, in person, in an effort to resolve the dispute. (3) If those persons cannot or do not resolve the dispute, then the parties shall each appoint a person from the highest tier of managerial responsibility within each respective party, who shall then promptly meet, in person, in an effort to resolve the dispute.

EXECUTED this ____ day of _____, 2016.

CITY:

CONSULTANT:

CITY OF GARLAND, TEXAS

FREESE AND NICHOLS, INC.

Bryan L. Bradford

City Manager

Wendy D Shabay, AICP

Vice President

ADDRESS FOR NOTICE:

CITY

City of Garland
200 North Fifth Street
P. O. Box 469002
Garland, Texas 75046-9002
Attn: City Manager

CONSULTANT

Freese and Nichols, Inc.
4055 International Plaza
Suite 200
Fort Worth, Texas 76109
Attn: Cody Richardson

Attachment A

Scope of Work IH 30 Corridor

Task 1- Catalyst Area Program

Task 1 will include the Consultant outlining a recommendation for a Catalyst Area Program for Garland to formalize the Catalyst Area initiative as defined by Envision Garland. The Catalyst Area Program will give examples of an encompassing program to help coordinate economic development, revitalization, and planning activities. The Catalyst Area Program's purpose is to define a sustainable program that can be used for multiple areas over multiple years. The goal of the program is to help to illustrate the desired development vision, define action steps and set in place metrics to monitor a plan's progress.

1.1 Development of the Catalyst Area Program

The Consultant will prepare an executive summary-style recommendation to define Garland's Catalyst Area Program. The intent of this task will be to define a sustainable program which can be on-going for all the catalyst areas in Garland. This will not be specific to any geographic area, but rather will provide overall guidance for development of a program that can be used for all existing and future catalyst areas.

Task 1 Deliverable

- Recommendation of the Catalyst Area Program

Task 2- Catalyst Area Project Plan for the IH 30 Corridor

Task 2 will focus on three Targeted Investment Areas, one being located at Harbor Point, one being located at Broadway and the third being located at IH-30 and Rosehill.

The Project Plan will be based on the example developed as part of Task 1-Catalyst Area Program. The Consultant will work with the appointed PAC members and identified stakeholders to create and review Project Plan recommendations. Task 2 will include four subtasks:

- 2.1 Base Economic and Real Estate Market Outlook
- 2.2 Targeted Investment Area Concept Plan
- 2.3 Implementation Strategies
- 2.4 Project Plan Report

2.1 Base Economic and Real Estate Market Outlook

The Consultant will complete a high-level market assessment and establish a base of information designed to identify the overall supply/demand characteristics that will govern the market-driven opportunities for the corridor. This will include:

- a. Conduct a demographic analysis three (3) Targeted Investment Area competitive market area and compare/contrast to the local and regional market areas. We will analyze a range of variables including population and household growth, households by income and age, owner vs. renter propensity, retail expenditures, ratio of population to

commercial and retail space, and other variables that help to indicate the depth of the market for appropriate land uses.

- b. Survey a select number of competitive projects for the purpose of assessing market supply conditions and performance.
- c. Determine the level of future competition in the local area via discussions with the subject property owners, local government officials, and the brokerage community.
- d. Identify planned competitive concentrations.
- e. Analyze the demand potential per candidate land use at a high level based on the following considerations: anticipated increases in primary demand sources, local real estate patterns, market conditions and trends, successful sale/lease-up/absorption of comparable product, market entry of major competition, economic development efforts at the City, and the location strengths of the nodes.

2.1.1 Initial Corridor Assessment

- a. Based upon the above market assessment, the Consultant will prepare an initial assessment for three (3) nodes. This will include the following: Develop a Strengths, Weaknesses, Opportunities and Threats analysis for each of the areas in the context of the above analyses.
- b. Identify priority areas for development/redevelopment and dedication of economic development funding.

2.1.2 Detailed Small Area Level Analyses

Based upon the outcome of the above, the Consultant will create land use recommendations:

- a. Identify the “best” use assumptions for those areas that have the most near- (0-5 years) to medium-term (5-10 years) development potential. This will include the magnitude of market support by land use expressed in acres, units, pricing, market audience profiles, and general competitive positioning. Comment on critical success factors identified from our observations in the market as well as our experience with similar properties and developments.
- b. For longer-term opportunities, outline necessary ingredients to facilitate their ability to materialize.
- c. Collaborate with all team members to identify strategies appropriate to realize the potential/value of the corridor. We will identify site improvements that could enhance the site’s ability to capture a greater share of market demand.

2.1.3 Physical Assessment

The City will be responsible for all GIS mapping for Task 2.1.3. The Consultant will review the City’s mapping and work with the City to document existing conditions with heavy emphasis on GIS mapping and assessment. It is important to document and analyze the physical factors that will ultimately contribute to the study area’s form and content. A series of general analysis maps will be produced by the City. It is anticipated the Consultant will request the City to produce approximately 12 maps per TIA area as part of this task. The Consultant will provide an accompanying brief documentation for the analysis. Potential mapping topics to be conducted by the City could include:

- a. Base map with parcels
- b. Current municipal boundaries and regulatory elements

- c. Major physical features
- d. Existing transportation system and plans
- e. General existing land uses, historical sites, block patterns, land values, existing buildings, and pavement
- f. City-owned parcels and public services
- g. Vacant and underutilized parcels, ownership patterns, and the potential for assembly of significant parcels for new development or redevelopment in catalyst locations
- h. Site Analysis or conclusion map which identifies opportunities for building on existing strengths

2.2 Targeted Investment Area Concept Plans

The Consultant will illustrate a Conceptual Site Plan for three (3) Targeted Investment Areas. The Conceptual Site Plans will illustrate existing buildings, proposed infill buildings by land use type, general parking, and district elements. The purpose of the concept plans is to provide an example infill concept plan based on area goals and market findings.

2.3 Implementation Strategies

The implementation section will be structured into a coordinated action program covering regulatory, CIP, and financial and market issues. The priority for each item may be presented for discussion at the final PAC meeting. The implementation section will also identify action item priorities or timeline.

The Consultant can work with the City's staff to craft one or more potential implementation strategies that may involve land acquisition, use of a variety of incentives (TIF, 380 Agreements, etc.), development of parking garages, etc. Ultimately, the goal is to draft one or more paths to implementation utilizing mechanisms the City may be open to utilizing/leveraging to help catalyze the project.

Also, our team will build a financial model to serve as a tool to help the City evaluate the above draft implementation strategies and alight upon an optimal strategy to realize the vision. The model would help determine which of the potential strategies produces an acceptable return on investment to the City while also making the project feasible to a potential developer partner. The Consultant will provide the following for each proposed development project:

- a. Strategy Scenarios. Assist the City in selecting one or more implementation strategies towards realization of a viable first phase (or multiple phases) of redevelopment.
- b. Financial Testing. Develop a dynamic financial model, leveraging the market analysis work discussed above. Test various incentives available in the City's arsenal to assess their impact on improving the development economics for a prospective developer in the near-term (the going-in assumption is that a developer will not take on the entire risk of acquiring the land and developing the plan as currently envisioned without the City being a public partner in the process) while ensuring a long-term economic benefit for the City (improved tax base and other economic benefits the project may bring including future improvements to surrounding land uses).
- c. Development Strategy Selection. Based upon the above financial analysis, settle on one or more viable implementation strategies to move forward with, recognizing that there

may be multiple paths (or no paths) that deliver the desired outcome given the City's constraints, development economics, etc.

As part of Task 2.3, the Consultant will also prepare a general Land Use Plan. The Consultant will prepare a generalized land use plan that describes the potential mix of uses. The land use strategies will include descriptions for recommended land use category. To accompany the regulatory strategies, the Consultant will identify areas to rezoning based on the land use plan. The identified areas with zoning conflicts will be based on uses and not a detailed zoning diagnostic.

2.4 Project Plan Report

The Consultant will prepare one (1) concise, executive summary-style report that will document Task 2 items. It will present a clear narrative with accompanying graphics and figures, as necessary, to describe the intentions of the area. The draft will be provided to the City, PAC, and other parties the City wishes to include for review and comments. The City will gather all comments and provide as a single submittal back to the Consultant so as to minimize revision submittals. FNI will incorporate comments and proceed to prepare implementation items.

The plan document will be created in digital format, including both text and mapping, such that it will be easily reproducible. Integration of document maps or files to the City's website will be conducted by the City. Draft documents will be prepared as part of the plan process. Any comments provided by City staff to FNI shall be in one set of consolidated comments. Electronic files will also be provided to the City.

All mapping will be prepared using ESRI's ArcGIS software. It is assumed that the City will coordinate available mapping data and prepare analysis maps in compatible electronic format in order to generate necessary mapping.

Task 2 Deliverables

- Market Assessment
- Targeted Investment Area Concept Plans
- Implementation Plan
- Project Plan Report

Task 3- Community Engagement

It is envisioned Task 3 will be conducted as an informative engagement and focus less on community visioning input. The Envision Garland's Interstate 30 Catalyst Area goals and policies will form the basis for the plan's community vision. Task 3 will allow the Consultant team to primarily engage a Plan Advisory Committee (PAC) and stakeholders.

- a. Throughout the project, the City will be responsible for identifying stakeholders, organizing a Plan Advisory Committee (PAC), securing meeting venues, and sending meeting notifications and invitations.
- b. The City will be responsible for conducting associated public meetings.

- c. Throughout the project, the Consultant will facilitate up to three (3) meetings with the PAC. FNI staff will attend all three of the meetings. RCLCO staff will attend two PAC meetings (one in person, one by conference call).
- d. Stakeholder interviews will be conducted as part of Task 2 market assessments.

3.1 Kick-Off Meeting and Site Tour (Trip 1)

The Consultant will attend one (1) kick-off meeting with the City. The purpose of the meeting will be to review the project's scope, schedule, communication, expectations, deliverables, and Client and Consultant tasks. During the kick-off meeting, the Consultant and City will outline community engagement goals, target groups, communication ideas, meetings and potential branding assistance. FNI staff will attend the meeting. RCLCO staff will participate by conference call.

During Trip One, the Consultant will also facilitate a kick-off meeting with the PAC. The Consultant will introduce the project's purpose, provide an overview of the scope and present findings to date. Following, the Consultant will lead the meeting participants in general discussions and or a group exercise(s) to identify development opportunities and constraints.

The Consultant will lead and the City (and members of the PAC if desired) will participate in a site tour of the study area.

3.2 Plan Advisory Committee (PAC) (Trip 2)

During this meeting, the Consultant will provide project updates and gather feedback. The Consultant will present findings from Task 2 assessments. The Consultant will provide an overview of the existing conditions and market assessment and lead the group in discussions on preliminary ideas to capitalize on the market and physical findings. Elected officials should be invited to attend the meetings.

3.3 Plan Advisory Committee (PAC) (Trip 3)

The Consultant will facilitate a third PAC meeting to present recommendations, plans and implementation strategies. The Consultants will revise the recommendations based on PAC comments in preparation for the draft report.

3.3 Adoption Meeting or Workshop (Trip 4)

The Consultant will attend one (1) final adoption meeting, preferably a joint workshop with elected or appointed officials. The Consultant will provide a project overview to include purpose, area input, existing conditions, analysis, and recommendations. City staff will be responsible for additional adoption meeting necessary.

Task 3 Deliverables

This scope includes a total of four (4) trips. The meetings are organized as follows:

- Trip 1: Kick-off Meeting and Site Tour, PAC Meeting #1
- Trip 2: PAC Meeting #2
- Trip 3: PAC Meeting #3
- Trip 4: Adoption Meeting or Workshop

Attachment B - Fee Schedule

	Item, Meeting or Task	Billing Amount
Milestone #1 Items	Contract Execution	\$ 9,350.00
	Trip 1: Kick-off Meeting/Site Tour/Plan Advisory Committee#1	
	Task 1 Catalyst Area Program	
Milestone #2 Items	Task 2 Catalyst Area Project Plan for IH 30 Corridor	\$ 64,000.00
	Task 2.1 Base Economic and Real Estate Market Outlook	
	Task 2.1.1 Initial Corridor Assessment	
	Task 2.1.2 Detailed Small Area Level Analysis	
	Task 2.1.3 Physical Assessment	
	Trip 2: Plan Advisory Committee #2	
Milestone #3 Items	Task 2.2 Targeted Investment Area Concept Plan	\$ 45,000.00
	Task 2.3 Implementation Strategies	
	Trip 3: Plan Advisory Committee #3	
Milestone #4 Items	Task 2.4 Project Plan Report	\$ 14,000.00
Milestone #5 Items	Trip 4: Adoption Meeting or Workshop	\$ 5,150.00
	Final Deliverables	

Attachment C - Project Schedule: IH-30 Catalyst Area Program

Item, Meeting or Task	Date	Month														Status
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	
Contract Execution																
Trip 1: Kick-off Meeting/Site Tour/Plan Advisory Committee#1																
Task 1 Catalyst Area Program																
Task 2 Catalyst Area Project Plan for IH 30 Corridor																
Task 2.1 Base Economic and Real Estate Market Outlook																
Task 2.1.1 Initial Corridor Assessment																
Task 2.1.2 Detailed Small Area Level Analysis																
Task 2.1.3 Physical Assessment																
Trip 2: Plan Advisory Committee #2																
Task 2.2 Targeted Investment Area Concept Plan																
Task 2.3 Implementation Strategies																
Trip 3: Plan Advisory Committee #3																
Task 2.4 Project Plan Report																
Trip 4: Adoption Meeting or Workshop																
Final Deliverables																



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 7.

Meeting Date: August 16, 2016

Item Title: Public Hearing on 2016-17 Proposed Budget

Submitted By: Ron Young, Budget Director

Summary of Request/Problem

Section 5, Article VII, of the City Charter requires that a Public Hearing be held on the Proposed Budget for the coming fiscal year. At the Public Hearing, all interested persons shall be given an opportunity to be heard for or against any item contained in the Proposed Budget.

The Proposed Budget for 2016-17 has been available for public inspection in the City libraries, in the City Secretary's Office, and on the City's website since August 3, 2016. A second Public Hearing on the Proposed Budget is scheduled for Thursday, August 25, 2016.

The 2016-17 Budget is scheduled to be adopted on September 6, 2016.

Recommendation/Action Requested and Justification

Open public hearing.

Take citizens' comments.

Close public hearing.



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Agenda Item 8.

Meeting Date: August 16, 2016

Item Title: Public Hearing on Proposed 2016-17 Tax Rate

Submitted By: Ron Young, Budget Director

Summary of Request/Problem

The Texas Property Tax Code, Section 26.05 (d), provides that a governing body may not adopt a tax rate that exceeds the lower of the rollback tax rate or the effective rate until the governing body has held two public hearings on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065. The 2016-17 Proposed Budget is based on a tax rate of 70.46 cents per \$100 of valuation, which does exceed the effective tax rate of 64.20 cents and the rollback rate of 69.83 cents due to a 10.6% increase in taxable values.

A second public hearing is set for Thursday, August 25, 2016, at 7:00 P.M.

Proposed Tax Rate

	<u>2015-16</u>		<u>2016-17</u>
	<u>Current</u>	<u>Change</u>	<u>Proposed</u>
O&M	39.40	0.00	39.40
Debt Service	31.06	0.00	31.06
Total Tax Rate	<u>70.46</u>	<u>0.00</u>	<u>70.46</u>

Mayor should read the following:

The tax rate is scheduled for adoption on Tuesday, September 6, 2016, at 7:00 P.M. in the Duckworth Building, Goldie Locke Room, 217 North Fifth Street, Garland, Texas.

Recommendation/Action Requested and Justification

Open public hearing.

Take public comments.

Close public hearing and Mayor read statement above.



GARLAND POLICY REPORT

City Council Regular Session Agenda

Agenda Item 9.

Meeting Date: August 16, 2016

Item Title: Request for Development Assistance from VPET USA, Inc.

Submitted By: David Gwin, Economic Development Director

Council Goal: Sustainable Quality Development and Redevelopment

ISSUE

Consider a development incentive request from VPET USA, Inc. for a partial rebate of applicable Business Personal Property (BPP) tax required of a proposed new manufacturing project for a specific period of time.

OPTIONS

1. Approve the staff recommendation for a partial rebate of the required Business Personal Property (BPP) tax for a specified period of time
2. Not approve a rebate of the applicable Business Personal Property (BPP) tax

RECOMMENDATION

With the creation and maintenance of 1) a minimum of \$3,000,000 in new Business Personal Property (BPP) tax valuation and 2) at least 25 new Full-Time jobs, approve a base rebate of 75% of the applicable BPP tax paid to the City for a period of five (5) years. If VPET USA's Business Personal Property (BPP) value exceeds \$4,250,000 and is similarly maintained, staff recommends that the City rebate an additional 25% of the applicable BPP tax during the same five (5) year period.

BACKGROUND

Established in Taiwan in 1997, VPET USA, Inc. currently manufactures and distributes PET plastic containers in both California and Michigan. As part of a major expansion and in order to get closer to their Texas-based customers, the company plans to purchase and occupy a newly-constructed, 169,000 square foot, LEED-certified, industrial facility for its newest manufacturing and distribution operations. The project will create a minimum of twenty-five (25) new jobs and minimally result in \$3,000,000 in new Business Personal Property (BPP) to the City's ad valorem tax rolls.

CONSIDERATION

1. Plastics are a major target industry for the community
 2. The company will purchase the newly constructed facility
-

Attachments

Proposed Economic Development Incentive Agreement

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

This Economic Development Incentive Agreement ("Agreement") is made by and between the City of Garland, a Texas home-rule municipality ("City"), and VPET USA, Inc., a California corporation ("Developer"), acting by and through their respective authorized officers.

RECITALS:

Developer and the City each acknowledge and agree that the following recitals are true and correct and that the same are a material part of this Agreement:

WHEREAS, the City desires to further the public interest and welfare and to induce the investment of private resources in productive business enterprises located in certain areas of the City that will increase tax revenue and promote or develop new business enterprises; and

WHEREAS, the Developer intends to purchase and further improve and enhance an existing, LEED-certified, 167,000 square foot building located at 3839 Distribution Drive in the City of Garland, Dallas County, Texas; and

WHEREAS, the Developer proposes to operate a manufacturing and distribution center at the above-referenced building, its operation requiring the installation of new machinery and equipment and the creation and retention of at least twenty-five full time jobs at the same; and

WHEREAS, the Developer's manufacturing and distribution operation will result in new economic development in the City, including increases in the number of new jobs and the amount of tax revenue and commercial activity within the City; and

WHEREAS, the Project (a term defined below) will have a direct and positive economic benefit to the City; and

WHEREAS, the Developer has advised the City that a contributing factor of inducing the Developer to further improve the Property is an agreement by the City to provide an economic development grant to the Developer as set forth herein; and

WHEREAS, the City is authorized by Article 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code to provide an economic development program, which may include certain grants of public funds, to stimulate business and commercial activity in the City; and

WHEREAS, City hereby finds that this Agreement promotes economic development in the City and, as such, meets the requisites under Chapter 380 of the Texas Local Government Code, and further, is in the best interests of the City; and

WHEREAS, the City wishes to provide incentives to the Developer to assist in the economic development of the City; and

WHEREAS, the City has determined, based on information presented to it by the Developer, that making an economic development grant to the Developer in accordance with this Agreement is in accordance with the City's economic development goals and will: (i) further the objectives of the City; (2) benefit the City and the City's inhabitants; and (iii) promote local economic development and stimulate business and commercial activity in the City.

NOW, THEREFORE, the Developer and the City make and enter into this Agreement in consideration of ten dollars and no cents (\$10.00), the mutual covenants and agreements contained in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both the Developer and the City, and agree as follows:

Section 1. Term: This Agreement shall, unless extended by mutual agreement of the Parties, terminate ten years from the Effective Date and, if fully completed, is intended to result in five BPP Tax Rebate Payments (a term defined below) to the Developer.

Section 2. Definitions:

"BPP Tax Rebate Payment" means an annual payment to be made by the City to Developer representing at least seventy-five (75) percent of the business personal property taxes actually paid to and received by the City from Developer as determined by the value of the Incremental Tax Valuation Increase in a given tax year directly attributable to the business personal property investments made by Developer as described in Section 3. For clarity, it is anticipated that the City will make only a single BPP Tax Rebate Payment in a given year and thus a total of five BPP Tax Rebate Payments over the term of this Agreement.

"Bonus BPP Tax Rebate Payment" means an additional annual payment to be made by the City to Developer representing twenty-five percent of the business personal property taxes actually paid to and received by the City from Developer as determined by the value of the Incremental Tax Valuation Increase in a given tax year directly attributable to the business personal property investments made by Developer as described in Section 3. For clarity, it is anticipated that the City will make only a single Bonus BPP Tax Rebate Payment in a given year and thus a total of five Bonus BPP Tax Rebate Payments over the term of this Agreement. A Bonus BPP Tax Rebate Payment may be combined with a BPP Tax Rebate Payment into a single annual payment. In no event shall the combined aggregate of a BPP Tax Rebate Payment and a Bonus BPP Tax Rebate Payment exceed one-hundred percent of the business personal property taxes paid by Developer to the City and in no event shall the combined aggregate exceed the amount of business personal property taxes actually paid to and received by the City from Developer for the tax year being used for the calculation.

"Bonus Valuation Threshold" has the meaning provided in Section 3(B).

"DCAD" means the Dallas Central Appraisal District.

"Full-Time Employee" means an employee who is considered, carried on the payroll, and compensated as a "full-time employee" as that term is used in the Patient Protection and Affordable Care Act, 42 U.S.C. § 18001 *et seq.* (2010)(See also Internal Revenue Service Code §

4980H).

"Incremental Tax Valuation Increase" means the increase in ad valorem tax valuation over the ad valorem tax valuation of business personal property located on the Property for tax situs purposes as of December 31, 2015. For the purposes of this Agreement and calculating the amount of a given BPP Tax Rebate Payment, the Parties agree that the value of the business personal property located on the Property on December 31, 2015 was zero (\$0.00). The Incremental Tax Valuation Increase in any given year shall be determined from the ad valorem tax values of Developer's business personal property as reasonably determined by DCAD.

"Program" means the economic development program for the Project established by the City pursuant to Texas Local Government Code Chapter 380 and this Agreement to promote local economic development and stimulate business and commercial activity within the City.

"Project" means the installation of new manufacturing- and distribution-related machinery and equipment at the Property.

"Property" means that certain, already-existing, LEED-certified, 167,000 square foot building located at 3839 Distribution Drive, City of Garland, Dallas County, and more particularly described in attached Exhibit "A."

Section 3. Developer's Obligations: In consideration of the City's participation in the Program, the following are conditions precedent to the City's payment of each and every BPP Tax Rebate Payment and Bonus BPP Tax Rebate Payment (if applicable) under this Agreement:

(A) *Operation and Employment Obligations.* On the Effective Date and for the full term of this Agreement notwithstanding whether Developer has received all BPP Tax Rebate Payments or Bonus BPP Tax Rebate Payments due under this Agreement, Developer shall continuously operate its business on the Property as an on-going concern. On or before December 31, 2015, the Developer shall employ at least twenty-five Full-Time Employees at the Property and shall continuously maintain the employment of not less than twenty-five Full Time Employees at the Property throughout the term of this Agreement. Of the twenty-five Full-Time Employees, at least eight (8) Full Time Employees must be paid a yearly salary of at least forty-three thousand dollars and no cents (\$43,000.00) (such salary being the average wage for Dallas County based on NAICS Code data available to the City and Developer as of the Effective Date).

(B) *Tax Appraisal Performance Obligations.* Developer shall invest in business personal property and non-capital expenses on the Property to the extent necessary to create a minimum Incremental Tax Valuation Increase of Three Million Dollars and no cents (**\$3,000,000.00**) as of January 1, 2016 and shall thereafter maintain that minimum Incremental Tax Valuation Increase for each calendar year during the term of this Agreement. Developer may additionally obtain Bonus BPP Tax Rebate Payments if Developer, after reaching the investment and expense threshold described in the preceding sentence, invests in additional business personal property and non-capital expenses on the Property to the extent necessary to create a cumulative Incremental Tax Valuation Increase of not less than Four Million Two Hundred Fifty Thousand Dollars and no cents (**\$4,250,000.00**) (the "Bonus Valuation Threshold") and shall thereafter maintain the minimum Bonus Valuation Threshold for each calendar year thereafter during the

term of this Agreement. The Bonus Valuation Threshold is intended to be upward ratcheting, that is, if the Developer meets or exceeds the Bonus Valuation Threshold, the Developer must maintain that valuation throughout the term of this Agreement. If the valuation declines below the Bonus Valuation Threshold, the Developer will not be paid any further BPP Tax Rebate Payments or Bonus BPP Tax Rebate Payments and any amounts previously paid to Developer as either a BPP Tax Rebate Payment or a Bonus BPP Tax Rebate Payment are subject to recapture as provided and calculated in Section 6.

(C) *"Furthering Garland Recognition and Pride"*. Developer acknowledges that the City is engaging in and administering the Program to further the economic interests of the people of Garland and that it is important to the City in that regard that Garland receive recognition for its efforts. In its communications, branding, marketing, and promotions throughout the term of this Agreement, the Developer shall recognize that its manufacturing and distribution operation is located in Garland, Texas rather than "in the Dallas area" or similar non-Garland specific descriptors.

(D) *Use of Garland Services*. The Developer shall be and remain a customer of the City for all solid waste, water, and waste water services throughout the term of this Agreement.

(E) *Local Purchases*. Developer shall make commercially reasonable efforts to purchase within the City of Garland all supplies, materials and equipment related to the Project and its operation so that the tax situs of sales tax revenue from such purchases is in Garland, Texas.

Section 4. City's Obligations:

(A) Subject to the terms and provisions of this Agreement, the City agrees to pay to Developer during the term of this Agreement BPP Tax Rebate Payments and, if Developer qualifies, Bonus BPP Tax Rebate Payments in accordance with the terms and conditions of this Agreement.

(B) In order to receive a BPP Tax Rebate Payment from the City, Developer shall submit to the Economic Development Director of the City a written notice, in a format acceptable to the City, that taxes for that tax year have been timely paid and the amount of such taxes paid. A BPP Tax Rebate Payment shall be calculated using actual taxes paid without including payments for interest, late payment penalties, collection costs, or any other fee attributable to the late payment of taxes. The written notice must be delivered to the City not earlier than thirty days nor later than six months following the payment of taxes by the Developer. Along with the written notice of payment, Developer shall also provide copies of the quarterly wage reports the Developer files with the Texas Workforce Commission ("TWC"). The Developer may redact personal information, such as addresses, dates of birth, and social security numbers, as such information relates to Developer's employees. If the City reasonably determines that the TWC wage reports are inadequate to verify Developer's compliance with Developer's employment obligations described in Section 3, the City may request such other documentation (such as payroll tax records, unemployment records, and the like) necessary to verify that the Developer is in compliance with the provisions of Section 3 regarding Full-Time Employees. If the City determines that the conditions precedent to the payment of the BPP Tax Rebate Payment have been satisfied for the applicable year, the City shall pay the BPP Tax Rebate Payment within sixty days of that determination.

(C) In order to receive a Bonus BPP Tax Rebate Payment from the City, Developer shall submit to the Economic Development Director of the City, concurrently with the submission of the notice described in subsection (B), acceptable evidence that the Developer has invested in and continues to maintain business personal property and non-capital expenses in an amount equal to or exceeding the Bonus Valuation Threshold. If the City determines that the conditions precedent to the payment of the BPP Bonus Tax Rebate Payment have been satisfied for the applicable year, the City shall pay the BPP Bonus Tax Rebate Payment within sixty days of that determination.

Section 5. Source of Funds. A BPP Tax Rebate Payment or BPP Bonus Tax Rebate Payment, as the case may be, shall be made from annual appropriations only from such funds of the City as may be legally appropriated for the implementation of Article III, Section 52-a of the Texas Constitution, Chapter 380 of the Texas Local Government Code or any other economic development or financing programs authorized by Texas law or the home-rule powers of the City. Any BPP Tax Rebate Payment or Bonus BPP Tax Rebate Payment to be made by the City to the Developer shall be limited as described in this Section and shall in no event exceed the amounts as are actually paid by Developer to and received in hand by the City from business personal property tax revenues from the Project.

Section 6. Recapture in the Event of Subsequent Default and Termination. (A) As provided in Section 3, above, the performance of Developer's obligations as described in that Section are conditions precedent to the BPP Tax Rebate Payments and Bonus BPP Tax Rebate Payments to be paid by the City. In the event, however, that the City has made a BPP Tax Rebate Payment or a Bonus BPP Tax Rebate Payment and Developer defaults in the performance of its obligations under this Agreement, the City may recapture a pro-rata portion of such payment or payments as calculated in accordance with this Section.

(B) In the event of a default by Developer, the City may terminate this Agreement by providing written notice of termination (a "Termination Notice") to Developer reasonably describing the grounds for declaring a default by Developer. If Developer fails to commence commercially reasonable efforts to cure the default described in the Termination Notice within thirty days of its receipt of the Termination Notice this Agreement shall automatically terminate and shall be of no further effect. If this Agreement terminates pursuant to this Section on or before the first BPP Tax Rebate Payment or Bonus BPP Tax Rebate Payment is due and paid, then Developer shall have no obligation to pay the Recapture Amount (as defined below) to the City. If the City has paid to Developer one or more BPP Tax Rebate Payments or Bonus BPP Tax Rebate Payments and this Agreement terminates pursuant to this Section, Developer shall pay to the City a pro rata amount (the "Recapture Amount") of the sum total of all BPP Rebate Payments and Bonus BPP Tax Rebate Payments made to Developer determined as of the date of termination. The Recapture Amount will be calculated by using the total of all BPP Rebate Payments and Bonus BPP Tax Rebate Payments paid by the City to the date of the termination times one *minus* the pro rata proportion of the value of the business personal property improvements made to the Property as of the date of termination to the value the Developer was required to have completed under this Agreement as specified in Section 3 as of the calendar year in which the termination occurs. Reimbursement shall be due not more than sixty days following the date of termination.

as specified in the Termination Notice.

Illustration of Reimbursement Calculation:

	Variable
BPP Rebate Payments and Bonus BPP Tax Rebate Payments, if applicable paid by the City to Developer prior to termination	PAY
Value of business personal property improvements (actual) made by Developer to the Property as of date of termination	PTA
Value of business personal property improvements required under Sec. 3 as of the calendar year of termination	PTR

$$(PAY) * \left[1 - \left(\frac{PTA}{PTR} \right) \right] = \text{Reimbursement to City}$$

The proportion of PTA / PTR shall in no case exceed a value of one (1).

Section 7. No Tax Protests. (A) Developer agrees that by submitting to the City a request for the payment of an BPP Rebate Payment or Bonus BPP Tax Rebate Payment under this Agreement, the Developer has (i) fully and finally agreed to the DCAD assessed tax values and the City's tax rate and procedures on which the BPP Rebate Payment or Bonus BPP Tax Rebate Payment will be based without protest or challenge; (ii) will not make any claim for a refund, repayment, or reduction of those taxes from any source, including the City; and (iii) waives, to the extent allowed by law, the right to protest, challenge or otherwise contest the tax in any manner. Developer shall promptly notify the City in writing if Developer receives any form of refund, repayment, or rebate of taxes that have been the basis of a BPP Rebate Payment or Bonus BPP Tax Rebate Payment under this Agreement and shall fully disclose to the City the basis of such refund, repayment or rebate. The Parties shall then recalculate the affected BPP Rebate Payment or Bonus BPP Tax Rebate Payment and Developer shall promptly reimburse the City for any overpayment of the BPP Rebate Payment or Bonus BPP Tax Rebate Payment resulting from the refund, repayment or rebate.

(B) Notwithstanding any other provision of this Agreement to the contrary, no BPP Rebate Payment or Bonus BPP Tax Rebate Payment shall become due for any tax year in which or for which Developer is protesting the appraised value or contesting an ad valorem tax due until the protest is final. Developer shall promptly notify the City in writing of any ad valorem tax protest relating to the Property or any of Developer's tangible personal property located for tax situs purposes on the Property.

Section 8. Force Majeure. All obligations of Developer and City shall be subject to events of "force majeure" which shall mean any contingency or cause beyond the reasonable control of a party, as applicable, including, without limitations, acts of God or the public enemy, war, riot,

civil commotion, insurrection, adverse weather, government or de facto governmental action or inaction (unless caused by negligence or omissions of such party), fires, explosions, floods, strikes, slowdowns or work stoppages, shortage of materials and labor.

Section 9. Rules of Construction. The capitalized terms listed in this Agreement shall have the meanings set forth herein whenever the terms appear in this Agreement, whether in the singular or the plural or in the present or past tense. Other terms used in this Agreement shall have meanings as commonly used in the English language. Words not otherwise defined herein that have well known and generally accepted technical or trade meanings are used herein in accordance with such recognized meanings. In addition, the following rules of interpretation shall apply:

- (A) The masculine shall include the feminine and neuter.
- (B) References to "Articles," "Sections," or "Exhibits" shall be to articles, sections, or exhibits of this Agreement.
- (C) The Exhibits attached hereto are incorporated in and are intended to be part of this Agreement; provided that in the event of a conflict between the terms of any Exhibit and the terms of this Agreement, the terms of this Agreement shall take precedence.
- (D) This Agreement was negotiated and prepared by both Parties with the advice and participation of counsel. The Parties have agreed to the wording of this Agreement and none of the provisions hereof shall be construed against one Party on the ground that such Party is the author of this Agreement or any part hereof.
- (E) Unless expressly provided otherwise in this Agreement, (a) where the Agreement requires the consent, approval, or similar action by a Party, such consent or approval shall not be unreasonably withheld, conditioned or delayed, and (b) wherever the Agreement gives a Party a right to determine, require, specify or take similar action with respect to a matter, such determination, requirement, specification or similar action shall be reasonable.
- (F) Use of the words "include" or "including" or similar words shall be interpreted as "including but not limited to" or "including, without limitation."
- (G) The recitals to this Agreement are incorporated herein.

Section 10. Remedies. Unless a specific remedy and associated cure period (such as recapture of an amount paid as a BPP Tax Rebate Payment or Bonus BPP Tax Rebate Payment) is set forth elsewhere in this Agreement, in the event of event of default by Developer, the City, as its sole remedy, may terminate all commitments of City under this Agreement after providing the Developer written notice of such default and 90 days to cure such default. If any event of default by the City exists, Developer shall provide written notice of such default to the City; then, the City shall have 90 days to cure such default. In the event the City is not able to cure such default, Developer may pursue such remedies available to it by law or equity, including, specific performance. The City and Developer hereby agree that Section 271.152 of the Texas Local

Government Code (relating to a limited waiver of immunity to suit for certain claims) applies to this Agreement regardless whether this Agreement is construed as a governmental or proprietary act of the City.

Section 11. Dispute Resolution and Step Negotiations. The Parties shall attempt in good faith to resolve all disputes arising out of or relating to this Agreement or any of the transactions contemplated hereby promptly by negotiation, as follows:

(A) Either Party may give the other Party written notice of any such dispute not resolved in the normal course of business. Executives of both Parties at levels one level above the Project personnel who have previously been involved in the dispute shall meet at a mutually acceptable time and place within ten days after delivery of such notice, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the dispute. If the matter has not been resolved within thirty days from the referral of the dispute to such executives, or if no meeting of such executives has taken place within fifteen days after such referral, either Party may initiate mediation as provided hereinafter. If a Party intends to be accompanied at a meeting by an attorney, the other Party shall be given at least three business days' notice of such intention and may also be accompanied by an attorney. All negotiations pursuant to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of the Federal Rules of Evidence and state rules of evidence. Each Party will bear its own costs for this dispute resolution phase.

(B) In the event that any dispute arising out of or relating to this Agreement or any of the transactions contemplated hereby is not resolved in accordance with the procedures set forth in this Section, such dispute shall be submitted to non-binding mediation to a person mutually agreed by the Parties. The mediation may take place at a mutually agreed upon location. If the mediation process has not resolved the dispute within thirty days of the submission of the matter to mediation or within such longer period as the Parties may agree to, either Party may exercise all remedies available at law or in equity under this Agreement, including the initiation of court proceedings. Each Party will bear its own costs, and share equally in the costs of mediators, for this dispute resolution phase.

(C) Nothing in this Section shall preclude, or be construed to preclude, the resort by either Party to a court of competent jurisdiction solely for the purposes of securing a temporary or preliminary injunction or other relief to preserve the status quo or avoid irreparable harm. The Parties shall continue to perform each of their respective obligations under this Agreement during the pendency of any dispute; provided that this obligation shall not apply after the termination of this Agreement (except with respect to payments of amounts due and owing under this Agreement).

Section 12. Jurisdiction and Venue. City and Developer, to the fullest extent permitted by applicable law, irrevocably (i) submit to the exclusive jurisdiction of the district courts located in Dallas County, Texas and any appellate court thereof; (ii) waive any objection which either may have to the laying of venue of any proceedings brought in any such court and (iii) waive any claim that such proceedings have been brought in an inconvenient forum. Nothing in this

provision shall prohibit a Party from bringing an action to enforce a money judgment in any other jurisdiction where the courts of such jurisdiction have jurisdiction over the other Party.

Section 13. Audits. Each Party has the right, at its sole expense, during normal working hours and upon thirty days' written notice, to examine copies of the relevant portions of the records of the other Party to the extent reasonably necessary to verify the accuracy of any invoice, charge or calculation made pursuant to this Agreement within the twelve month period immediately preceding such notice. If any such examination reveals any inaccuracy in any invoice or calculation, the necessary adjustments in such invoice or calculation, and the payment of any adjustment thereto, shall be paid, with interest at the interest rate provided by the Texas Prompt Payment Act calculated from the date the overpayment or underpayment was made until paid, by the responsible Party within thirty days after it receives an invoice from the other Party setting forth in reasonable detail the calculation of such adjustments.

Section 14. Accommodation of Financing Parties. To facilitate Developer's obtaining of financing to construct and operate the Project, City shall make governmentally reasonable efforts to provide such consents to assignments, certifications, representations, information or other documents as may be reasonably requested by Developer or the Developer's financing parties in connection with the financing of the Project; provided that in responding to any such request, the City shall have no obligation to provide any consent, certification, representation, information or other document, or enter into any agreement, that materially adversely affects, or could reasonably be expected to have or result in a material adverse effect on, any of City's rights, benefits, risks or obligations under this Agreement. Developer shall reimburse, or shall cause the financing parties to reimburse, the City for the incremental, direct, and documented third party expenses (including, without limitation, the reasonable fees and expenses of outside counsel) incurred by the City in the preparation, negotiation, execution or delivery of any documents requested by Developer or the financing parties.

Section 15. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

Section 16. Binding Effect; Successors and Assigns. The terms and conditions of this Agreement are binding upon the successors and assigns of the parties hereto. This Agreement, or the right to receive grant payments, pursuant to this Agreement, may not be assigned, in whole or in part, without the express written consent of the City; provided that Developer may, without the City's consent, assign this Agreement to a wholly-owned subsidiary or affiliate of Developer. For purposes of this Agreement, performance by a successor or an affiliate of Developer, or performance by a party with whom Developer or its affiliates contract shall be deemed to be performance by Developer.

Section 17. Amendments. No modifications or amendments to this Agreement shall be valid unless in writing and signed by a duly authorized signatory.

Section 18. Severability. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

Section 19. Notices. All notices required to be given under this Agreement shall be in writing and shall be given by either party or its counsel in person, via an express mail service or via courier or via receipted facsimile transmission (but only if duplicate notice is also given via express mail service or via courier or via certified mail) or certified mail, return receipt requested, to the respective parties at the below addresses (or at such other address as a party may hereafter designate for itself by notice to the other party as required hereby). All notices given pursuant to this paragraph shall be deemed effective, as applicable, on the date such notice may be given in person, next business day following the date on which such communication is transferred via facsimile transmission, or as applicable, deposited with the express mail service, courier, or in the United States mails. Any party may change its address for notices under this Agreement by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address.

If to City:

City of Garland
200 N. Fifth Street
P.O. Box 469002
Garland Texas 75046-9002
Attn: City Manager
Phone: (972) 205-2000
Fax: (972) 205-2504

If to Developer:

Wenhao Wang
Chief Financial Officer
12925 Marlay Avenue
Fontana, California 92337

With a required copy to:

City Attorney
200 N. Fifth Street
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-2380
Fax: (972) 205-2389

Economic Development Director
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-3800
Fax: (972) 205-3801

Section 20. Employment of Undocumented Workers. During the term of this Agreement the Developer agrees not to knowingly employ any undocumented workers and if convicted of a

violation under 8 U.S.C. Section 1324a (f), the Developer shall repay the amount of the Annual Grants and any other funds received by the Developer from the City as of the date of such violation within 120 business days after the date the Developer is notified by the City of such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid. The Developer is not liable for a violation of this section in relation to any workers employed by a subsidiary, affiliate, or franchisee of the Developer or by a person with whom the Developer contracts.

Section 21. Non-Collusion. Developer represents and warrants that neither Developer nor anyone on Developer's behalf has given, made, promised or paid, nor offered to give, make, promise or pay any gift, bonus, commission, money or other consideration to any employee, agent, representative or official of the City as an inducement to or in order to obtain the benefits to be provided by the City under this Agreement.

Section 22. Time of the Essence. Time is of the essence in the performance of this Agreement. If any deadline contained herein ends on a Saturday, Sunday or a legal holiday recognized by the Texas Supreme Court, such deadline shall automatically be extended to the next day that is not a Saturday, Sunday or legal holiday.

Section 23. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall have the force and effect of any original, as of the Effective Date.

Section 24. Signatory Authority. Any certification, report, or other written submission from the Developer to the City under this Agreement shall be signed by a person having the authority to bind the Developer in the same manner as the Developer is bound to this Agreement, and any such submission shall be deemed the authorized act and deed of the Developer.

EXECUTED and effective as of the 11 day of July, 2016.

DEVELOPER

VPET USA, Inc., a California corporation

By: [Signature]

Name: Wenhao Wang

Title: CFO

Date Executed: 7/11/2016

CITY

City of Garland, a Texas home-rule municipality

By: _____

Name: Bryan Bradford

Title: City Manager

Date Executed: _____

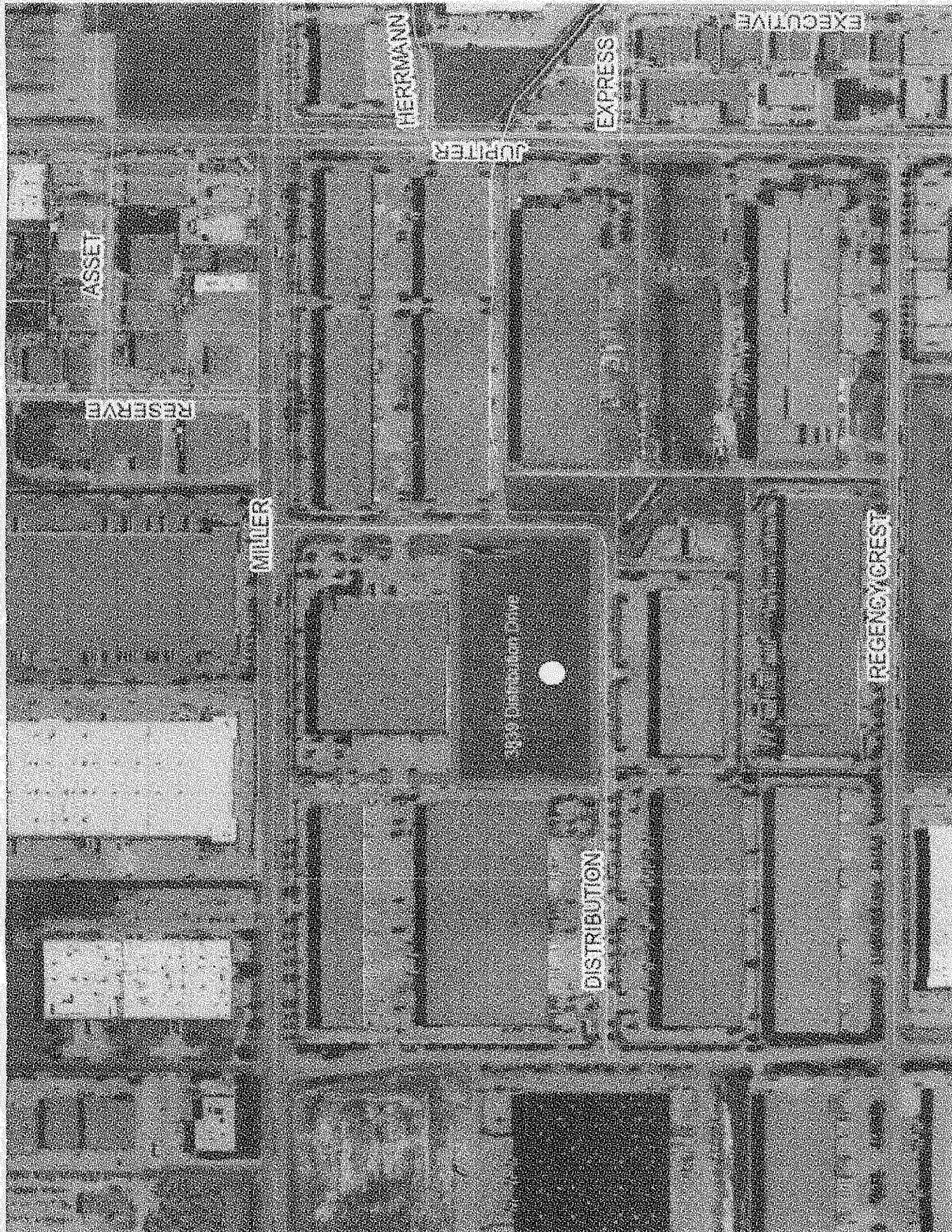
Approved as to Content:

By: _____

David Gwin, AICP, CEcD

Director of Economic Development

Exhibit A - Property





GARLAND PLANNING REPORT

City Council Regular Session Agenda

Agenda Item 10. a.

Meeting Date: August 16, 2016

Item Title: Z 16-13 DR Rankin

Submitted By: Will Guerin, Planning Director

REQUEST

Approval of 1) an amendment to the Concept Plan for Planned Development (PD) District 15-45, 2) a Detail Plan for Multi-Family Uses on property zoned Planned Development (PD) 15-45 District for Single-Family-5 (SF-5) Uses, Multi-Family Uses and Limited Community Office Uses.

OWNER

ALTHEC Partnership

PLAN COMMISSION RECOMMENDATION

On July 25, 2016, the Plan Commission by a vote of six (6) to zero (0) recommended approval of 1) an amendment to the Concept Plan for Planned Development (PD) District 15-45, 2) a Detail Plan for Multi-Family Uses on property zoned Planned Development (PD) 15-45 District for Single-Family-5 (SF-5) Uses, Multi-Family Uses and Limited Community Office Uses.

STAFF RECOMMENDATION

Staff recommends approval of the amendment to the Concept Plan, and the Detail Plan for Multi-Family Uses. The development, as proposed, is consistent with the standards established by Planned Development (PD) 15-45 and the Multi-Family (MF) District and other applicable regulations of the GDC.

BACKGROUND

In 2015, City Council approved a change in zoning for the former quarry site at the north intersection of Arapaho Road and North Garland Avenue from Agriculture (AG) District to a Planned Development (PD) District for Single-Family-5 Uses, Multi-Family Uses and Limited Community Office Uses. The site known as "The Woodlands on Spring Creek" has an area of 141.653 acres. A Concept Plan accompanied the change in zoning and identified the locations of future residential and non-residential uses on 5 tracts. The Concept Plan specifies single-family detached dwellings on 5,000-square foot lots on Tract 1 (90.2 acres), multi-family on Tract 2 (17.9 acres) and Tract 3 (11.9 acres), elder care-independent living on Tract 4 (8.1 acres) and a restaurant on Tract 5 (13.5 acres). A subsequent Detail Plan is required prior to the development of any tract.

The applicant requests approval of the Tract 2 Detail Plan for 300 multi-family dwelling units. This development is proposed as “Northside at the Woodlands.”

SITE DATA

The development fronts along Arapaho Road for approximately 892 feet; Arapaho Road establishes the western boundary of Tract 2. The southeast property line is delineated by a branch of the Spring Creek floodplain and the north and east boundary is formed by the single-family development within Tract 1.

Tract 2 contains 17.892 gross acres, and the 100 year floodplain reduces the site to 15.165 net acres. The applicant has no intention to build multi-family development or other any habitable structures in this Spring Creek floodplain portion. This portion of the development will be dedication to open space and will be the location of the unified pedestrian trail way.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) 15-45 District for Single-Family-5 Uses, Multi-Family Uses and Limited Community Office Uses. The Planned Development specifically allotted the subject site Multi-Family zoning for the proposed development. Where specific standards are not provided within the Planned Development, Garland Development Code standards will apply.

CONSIDERATIONS

1. Detail Plan: Planned (PD) Development 15-45 set forth a Concept Plan reflecting the general location and acreage for each use within the Woodlands Development. The Concept Plan did not establish a unifying set of development principles; therefore, each development is strongly encouraged to incorporate comprehensive, complimentary development principles into the design of the respective project including but not limited to the internal trail connections, transitions between uses, and appropriate scale. As a general practice, layout design is driven by topography, drainage, privacy, building height, orientation, daylight needs, and views.

An approved Detail Plan must precede development of any tract within the Woodlands. Unique site and building design principles will be established as each tract develops. Accordingly, the applicant requests approval of a Detail Plan for Tract 2 of the Woodlands.

The proposed Detail Plan reflects the development of three (3) buildings, each having four (4)-stories and with a total of 300 dwelling units. Two of the buildings will be split level in response to grade changes. A fourth building will contain the 7,600 square-foot club and leasing area and will be the location of the 1,600 square-foot amenity pool. The primary open space accounts for approximately 40 percent of the total site and is generally located on the southern portion of the site. No habitable building development will occur within this portion of the site.

The open space area contains the “Northside at the Woodlands” portion of the trail system. Each tract of the overall 141.6-acre Woodlands on Spring Creek project is required to construct a portion of the trail system which meanders throughout the Woodlands on Spring Creek development. The trail provides connectivity from the single-family uses through the multi-family to the nonresidential. The Tract 2 portion of the trail connects Arapaho Road to the single-family uses in Tract 1 then ultimately to the nonresidential portion of the development.

2. Building Design. The proposed buildings meet the horizontal and vertical articulation

requirements by utilizing varying degrees of recesses, parapet wall heights and balcony depths. The Building Elevation Plan also reflects the incorporation of approved architectural design elements (e.g. recessed entries, varied roof heights, and balconies) as set forth in Chapter 4, Article 6 of the Garland Development Code.

- a. Each external building face contains a predominately brick façade that incorporates a moderate use of stucco and cementitious panel as an accent façade material. The applicant utilizes brick colors and material textures to establish visual depth.
- b. The Northside at the Woodlands will generally provide moderately pitched roofs and intermittent parapets. Roof-mounted air conditioning equipment will be provided. The pitch-roof system and parapets shall be utilized to screen them appropriately.

3. Unit Mix. The maximum density in Multi-Family (MF) Districts is eighteen (18) units per acre; as proposed the development expects to provide approximately twenty (20) units per acre; the Northside at the Woodlands will contain the following unit mix percentages and average sizes: 216 one-bedroom units (72%), 72 two-bedroom units (24%), and 12 three-bedroom units (4 %).

4. Parking. The applicant proposes a minimum parking ratio of 1.5 parking spaces for each dwelling unit for a total of 450 spaces, but will actually supply 504 parking spaces for 300 dwelling units. Northside at the Woodlands will ultimately provide parking at a rate of 1.68 parking spaces for each dwelling unit. According to the parking requirements found in Section 2.51, the unit mix would yield a parking ratio of 1.64 spaces per dwelling unit. The development provides twelve (12) more than spaces than required by the GDC. Additionally, half (252) of the required parking spaces will be covered by detached garage and canopy structures in accordance with the standards for multi-family development. Staff finds the parking ratio of 1.68 parking spaces as proposed is appropriate for the development.

5. Storage Facilities. Section 2.39 (I) (1) requires that each dwelling unit have corresponding and conveniently located enclosed storage facility. The storage facilities must contain at least twenty-five (25) square feet and no less than 175 cubic feet. In lieu of the external storage the development will provide storage “closets” within each balcony. The storage “closets” shall contain no less than twenty-five (25) square feet and no less than 175 cubic feet of available storage space. Although storage facilities are driven by market desires staff recommends mitigating the overall loss of size and convenience of attached storage area by either increasing the in-dwelling storage capacity or increasing the number of external storage closets.

6. Height. The approved land plan employs the multi-family developments on Tracts 2 and 3 as buffers between the non-residential and single-family uses. The multi-family apartment buildings within Tract 2 are immediately adjacent to the single-family dwelling units in Tract 1.

- a. The maximum building height in Multi-Family (MF) District is 40 feet; the proposed Detail Plan conditions the multi-family buildings to a height no greater than 48.5 feet for the four-story apartment buildings, with an additional height allowance to accommodate elevator towers in the split level buildings number 1 and 3. When multi-family is adjacent to single-family, developments are encouraged to mitigate potentially undesirable effects of height through buffers, setbacks and step-backs or screening. Singularly, it is not uncommon for multi-family buildings to exceed the maximum height especially if the development contains urban characteristics (e.g. vertically mixed uses, increased densities and pedestrian oriented street design frames and block faces), or if topography

dictates.

b. The GDC (Section 2.39 (F)(2) Special Side and Rear Setbacks) states that “Where a Multi-Family (MF) district is located adjacent to a single-family zoning district or a single-family Planned Development district, the side and rear setbacks must be 1.25 times the maximum height of each building or a maximum of fifty feet.” The applicant has been strongly encouraged to incorporate controls to maximum height and setback that reflects a sensitivity to the adjacent single-family. Accordingly, the Detail Plan reflects the location of Building 3 at 63.5 feet from the rear property line. This distance is 1.40 times the height of the fourth story. The northwest face of Buildings 1 and 2 are set back approximately 80 feet from the property line, a distance of approximately 1.74 times the height of the fourth story. A portion of the northeast face of building 2 is setback 63.5

These setbacks will contain the majority of the site’s open and covered parking spaces. The property line will be further treated with the required multi-family screening. Notwithstanding the required setbacks of the adjacent single family, the proposed Northside at the Woodlands setbacks exceed the minimum distance set forth in the GDC

7. Landscape and Screening.

a. Section 4.34 (A) of the GDC requires multi-family developments to dedicate a minimum of forty (40) percent of the total site to landscaping, open space areas, pools and similar outdoor recreation activities. The landscape plan reflects compliance with this standard.

b. The site must provide a landscape buffer fifteen (15) feet in depth adjacent to Arapaho Road. The buffer must contain one (1) large tree and seven (7) shrubs for every thirty (30) feet of landscape buffer. The landscape plan reflects a landscape buffer adjacent to Arapaho Road for 892 feet; within it are thirty (30) large trees and 243 shrubs. The plant material meets the requirements of this section of the ordinance. The applicant has incorporated the required curvilinear parking area screening into the landscape buffer.

c. Section 4.39 of the GDC also requires that all nonresidential developments that are located adjacent to single-family detached district boundary lines must provide screening in the form of either a brick or stone masonry wall, an ornamental metal fence or an earthen berm. However, alternative designs may be considered through the Alternative Compliance process as provided in Section 4.39 (B). Alternative Compliance is intended for the purpose of producing an equal or enhanced level of results as intended by the original development standards. The applicant proposes a dense live screening along the common property line of Tract 1 and Tract 2. A live screening is a more organic delineation than a masonry wall. The vegetation reflected on the landscape plan typically reaches heights in excess of twenty-feet at maturity, exceeding the maximum masonry wall height of eight (8) feet. The additional vegetative height over time will provide a greater contribution to the mitigation of potentially undesirable effects of building height than an eight (8) foot masonry wall.

Northside at the Woodlands intends to construct a monument sign at the Arapaho Road entrance. Details for the signage dimensions have not be solidified; however, the applicant has indicated that all signage will be consistent with Chapter 4, Article 5 of the GDC and be compatible with the design of the multi-family buildings.

COMPREHENSIVE PLAN

The Envision Garland Plan 2030 Comprehensive Plan designates Tracts 1 and 2 as Compact Neighborhoods and Parks and Open Spaces, Tracts 3 and 4 as Urban Neighborhoods and Parks and Open Spaces, and Tract 5 as Parks and Open Spaces.

Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. The Compact Neighborhood development type is primarily characterized as moderate residential (between six and twelve dwelling units per acre).

Urban neighborhoods are higher density residential developments, characterized by moderate to high density single-family attached and multi-family residential units, greater than 12 units per acre. Developments within this category are predominantly residential, but may include compatible non-residential uses.

Parks and Open Spaces consist of a variety of public/private parks, plazas, and natural areas for passive and active recreation, as well as informal gathering places, including development that contributes to their desirability. Parks and Open Spaces should be interconnected by a network of roads, sidewalks, pathways and transit to encourage residents and visitors to move about for mobility, recreational, social, and health purposes.

Full development of the Woodlands on Spring Creek is aligned with the goals and policies of the Envision Garland Plan 2030 Comprehensive Plan. The proposed multi-family development is a critical element of the Woodlands on Spring Creek. The multi-family development as proposed is congruent with the characteristics of a Compact Neighborhood development and compatible with the surrounding area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

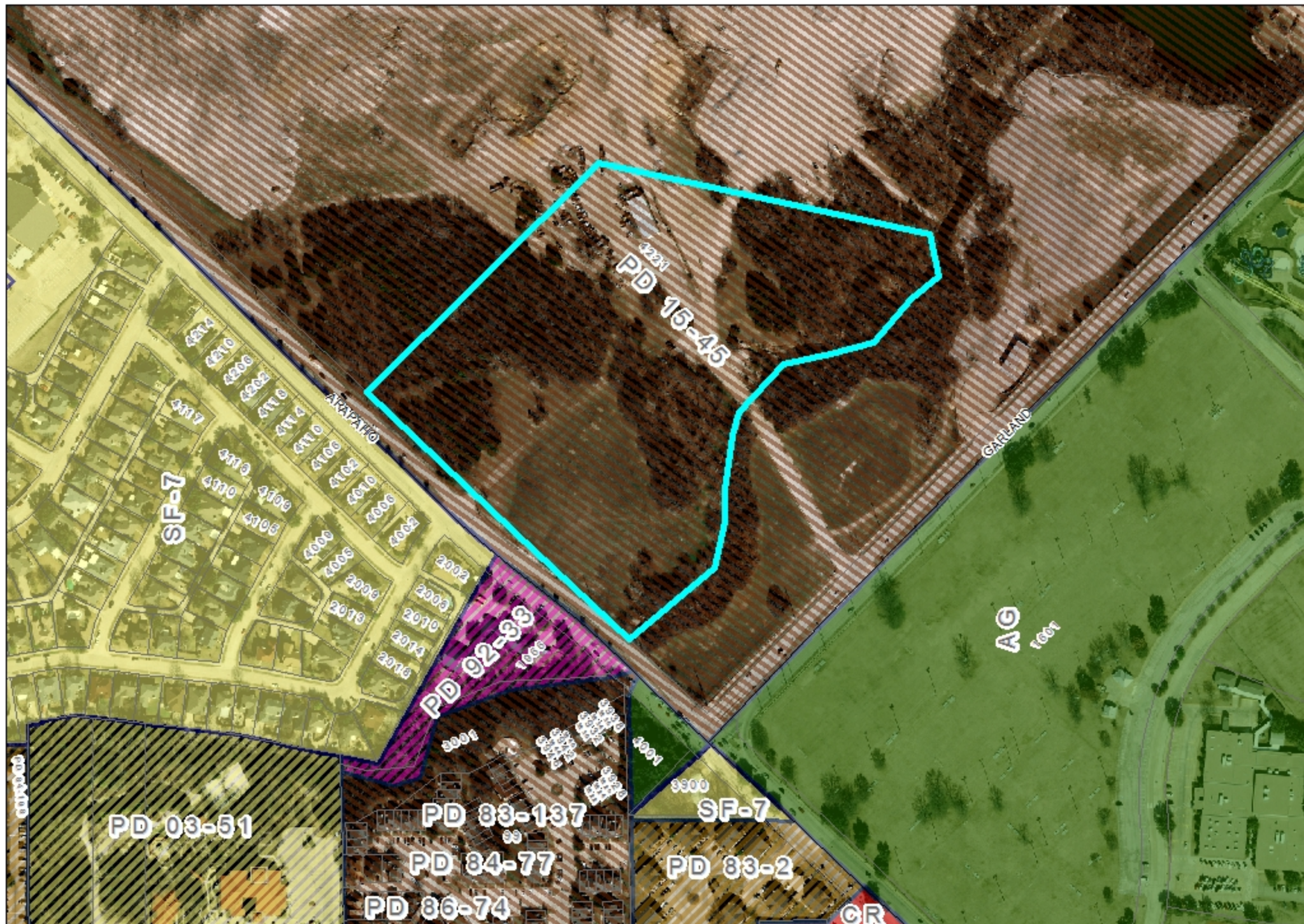
The properties to the northwest, west and southwest are mostly zoned Single-Family (SF) District and developed with single-family dwelling units with a few pockets developed with multi-family complexes and non-residential uses. The property to the north and immediately to the east is zoned Agriculture (AG) District and is part of the Spring Creek Park/Forest Preserve. With the exception of the multi-family complex located on the west corner of North Garland Avenue and Naaman Forest Boulevard, the properties further east and along North Garland Avenue are zoned for Community Retail Uses and are developed with restaurants, personal services and retail. The properties to the southeast are zoned Agriculture (AG) and are developed with W. Cecil Winters Park, Webb Middle School, Spring Creek Elementary School and Hawaiian Falls.

Although multi-family is the preferred transition between low density residential and non-residential use, the GDC is sensitive to the compatibility of these uses particularly as it pertains to height. The Detail Plan reflects a substantial portion of the site is encumbered with floodplain and floodplain related easements, limiting the development area. These elements constrain the location of the buildings closer to the future single-family on Tract 1. The development is designed recognizing a sensitivity to the different uses and building types in Tract 1 and has incorporated elements to temper possible negative impacts including increased setbacks, lower density and greater screening.

Attachments

Z 16-13 DR Rankin Attachments

Z 16-13 DR Rankin Responses



ZONING

Z 16-13

 INDICATES AREA
OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 16-13

Northwest of the northwest corner of North Garland Avenue and Arapaho Road

- I. Statement of Purpose:** The purpose of this Planned Development is to permit the development of a 300-Unit Multi-Family development.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD 15-45) District and the Multi-Family (MF) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**

Detail Plan: Development shall be in general conformance with the Detail Plan set forth in Exhibit C; however, in the event of conflict between the Detail Plan and the written conditions in Planned Development (PD) District 15-45 of this Ordinance, the written conditions shall apply.

V. Specific Regulations:

- A. Permitted Uses:** Uses shall be as permitted within the Multi-Family (MF) District.
- B. Density:** The total density of multi-family shall be limited to approximately twenty (20) dwelling units per acre.
- C. Site Design:** The multi-family buildings shall be located as generally shown on the Detail Plan labeled Exhibit C. The unified trail way shall be designed to connect and align with Tracts 1a and 3 in accordance with the Master Trail Plan and located as shown on Exhibit C.
- D. Screening and Landscaping:** Screening of the multi-family use from adjacent residential uses shall meet the requirements of Chapter 4, Article 3 of the

Garland Development Code with the following additional requirements:

1. Multi-family yards adjacent to residential districts must provide a dense opaque vegetative screening with a species that will provide the optimal amount of screening and limited permeability. The live screening shall be a minimum of eight (8) feet in height at the time of installation and shall be maintained by the multi-family development ownership and shall be as generally shown on the Detail Plan labeled Exhibit C.
- E. Setbacks: Setbacks shall be as generally shown on the Detail Plan labeled Exhibit C.
- F. Parking: Parking shall be generally located as shown on the Detail Plan labeled Exhibit C.
- G. Building Elevations: Building elevations shall be in conformance with Exhibit D.
- H. Height: The maximum permitted height for any building or structure shall be 48.5 feet or four stories, except 57 feet allowed for the elevator tower height in the split level buildings Number 1 and Number 3.
- I. Storage Facilities: External storage facilities shall not be required to be directly accessed from each unit. Storage areas provided in closets connected to the balconies shall be a minimum size of twenty-five (25) square feet, no less than 175 cubic feet.

NORTHSIDE FLOOD STUDY
to be Prepared by
McLendon Hydrology and Engineering, LLC

PROPOSED WATER METER SCHEDULE

METER ID NUMBER	WATER SERVICE SIZE	WATER METER SIZE	METER DOM.	IRR.	SAN. SERVICE SIZE
△	4"	3"	X		6"
△	4"	3"	X		6"
△	4"	3"	X		6"
△	1"	1"	X		6"
△	2"	2"		X	N/A
△	2"	2"		X	N/A
△	2"	2"		X	N/A

WOODLANDS TRACT 2 SITE INFORMATION

LAND AREA: 779,361 S.F. OR 17.892 ACRES
LAND AREA NET: 660,580 S.F. OR 15.165 ACRES (net proposed 100yr floodplain)
ZONING: PD 15-45, MF (Multi-Family)
BUILDING AREA: 84,195 SF (28,065 sf per Bldg Including Patios)
BUILDING AREA: 7,600 SF Club House (Single Story Hight =30ft)
BUILDING HEIGHTS: 48.5' (4 Story Apartment Buildings)
BUILDING HEIGHTS: 57' Max Height Allowed for Elevator Towers in Split Level Bldgs 1 & 3
FLOOR TO AREA: 0.44:1 [(336,780+7,600)/779,361]
LOT COVERAGE: 11.8% [(84,195+7,600)/779,361]
PARKING REQUIRED: 1.5 Parks per Unit = 450 SPACES
PARKING PROVIDED: 50% of Required Parking to be Covered
504 TOTAL, (494 w/ 10 HANDICAP)
277 Field, 179 Covered, 48 Garage
TOTAL IMPERVIOUS SURFACE: 425,907 SF = 54.6%
TOTAL PERVIOUS AREA: 353,454 SF = 45.4%



TEXAS EXCAVATION
SAFETY SERVICES
1-800-344-8377

TRACT ONE ALTHEC PARTNERSHIP, LTD.
A TEXAS LIMITED PARTNERSHIP
VOLUME 2002049, PAGE 2378
R.P.R.D.C.T.

Lot 3 Boundary Line Table		
LINE	BEARING	LENGTH
L1	S 66°40'04" W	98.78'
L2	S 53°19'37" W	62.39'
L3	S 19°26'41" W	144.17'
L4	S 29°03'41" W	41.17'
L5	S 56°46'21" W	46.21'
L6	S 81°15'28" W	122.74'
L7	S 36°01'50" W	90.65'
L8	S 26°34'15" W	71.52'
L9	S 05°11'44" W	103.04'
L10	S 05°18'57" E	57.56'
L11	S 04°26'19" W	155.07'
L12	S 33°41'38" W	96.12'
L13	S 58°00'20" W	37.72'
L14	S 75°48'16" W	57.07'
L15	S 56°32'26" W	47.14'
L16	S 45°00'30" W	52.89'
L17	S 89°29'41" W	21.50'
L18	N 46°37'23" W	72.35'
L19	N 54°37'23" W	26.24'

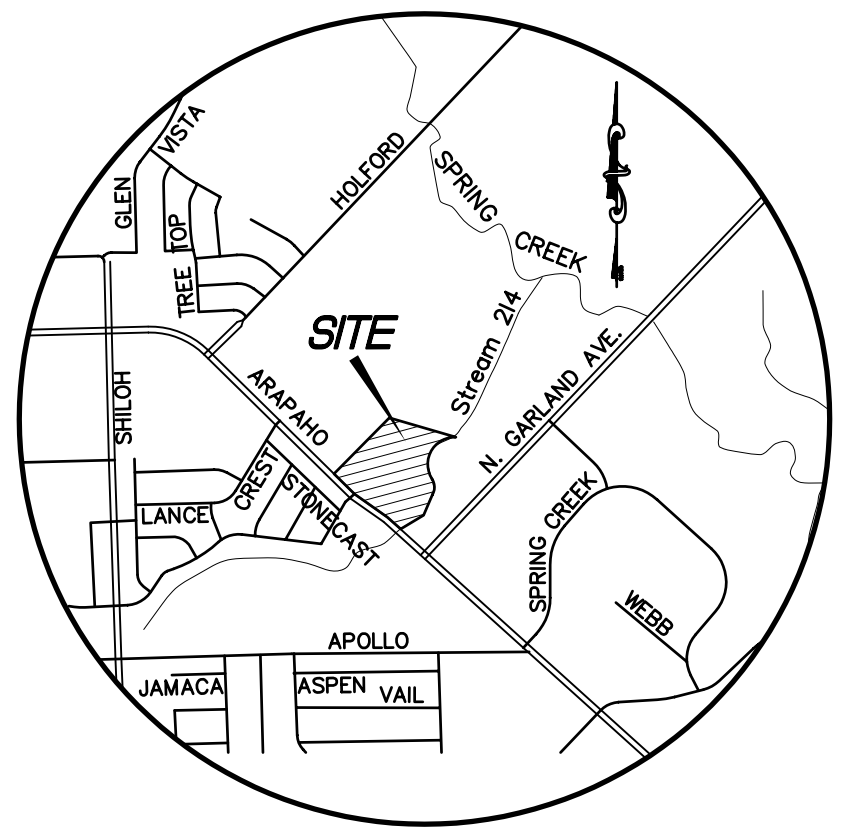
Boundary Curve Table					
Curve	Length	Radius	Delta	Chord	Chord Bearing
C1	202.46'	1450.00'	8°00'00"	202.30'	N 50°37'23" W
C2	206.56'	1350.00'	8°46'00"	206.36'	N 50°14'23" W

TRACT TWO ALTHEC PARTNERSHIP,
LTD. A TEXAS LIMITED PARTNERSHIP
VOLUME 2002049, PAGE 2378
R.P.R.D.C.T.

FLOODPLAIN LEGEND

- *Proposed 100yr Ultimate Floodplain
- 100yr Flood Plain per effective FEMA FIRM
- Proposed Drainage Easement

*Elevations Delineated per Current Field Survey



LOCATION MAP
NOT TO SCALE

LEGEND

- PROPOSED COVERED PARKING STRUCTURE
- PROPOSED PARKING
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY MANHOLE
- PROPOSED DOMESTIC WATER METER
- PROPOSED DOMESTIC WATER METER IN VAULT
- PROPOSED IRRIGATION WATER METER
- PROPOSED FIRELANE
- PROPOSED SIDEWALK
- EXISTING SANITARY SEWER MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING POWER POLE W/ GUY WIRE

Site Plan Notes

- Any revision to this plan will require City approval and will require revisions to any corresponding plans to avoid conflicts between plans.
- Firelanes and Site paving shall be concrete, designed and constructed per City standards.
 - Handicapped parking areas shall be designed and provided per city standards and shall comply with requirements of the current, adopted International Building Code, ADA and T&S requirements.
 - Mechanical units, dumpsters and trash compactors shall be screened in accordance with City Ordinance.
 - All signage contingent upon approval through a separate sign permit application.
 - Outdoor lighting shall comply with illumination standards within the City Code of Ordinances.

ADDITIONAL SITE NOTES:

- Tree Survey & Mitigation Plan required.
- 100 year flood plain exists on property.
- 24 ft wide firelanes to have a minimum 20' inside radius.
- Typical parking dimensions are 9' x 18'.
- Concrete pavement construction of all walks, parking & driveways
- Firelanes not to exceed 6% max slope.
- Landscape areas not to exceed 4:1 max slope.
- Existing above ground structures in public right of way, including but not limited to: gas markers & manholes, communication markers & manholes, street signs, etc., shall relocated at contractor expense where conflicts occur with required public improvements.

ZONING DETAIL PLAN
PLANNED DEVELOPMENT 16-13
THE WOODLANDS on SPRING CREEK
TRACT No. 2
~NORTHSIDE at the WOODLANDS~

**17.892 ACRES ~ ONEFRE ALVARADO SURVEY
ABSTRACT #02
GARLAND, DALLAS COUNTY, TX
ZONING: PD ~ MULTI-FAMILY (PD-MF)**

OWNER / DEVELOPER:
FLORIDAYS DEVELOPMENT CO.
783 S. ORANGE AVENUE #200
SARASOTA, FL 34236
(941) 223-6656

CIVIL ENGINEER:
DR RANKIN, PLLC
TBPE FIRM #8838
2321 DAYBREAK TRAIL
PLANO, TEXAS 75093
(972) 378-0683

SURVEYOR:
DATA LAND SERVICES
PO BOX 2110
FORNEY, TEXAS 75126
(972) 564-6166

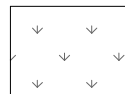
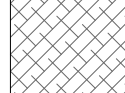
ARCHITECT:
IKEMIRE ARCHITECTS
16660 DALLAS PARKWAY
SUITE 2900
DALLAS, TEXAS 75248
(972) 248-2486

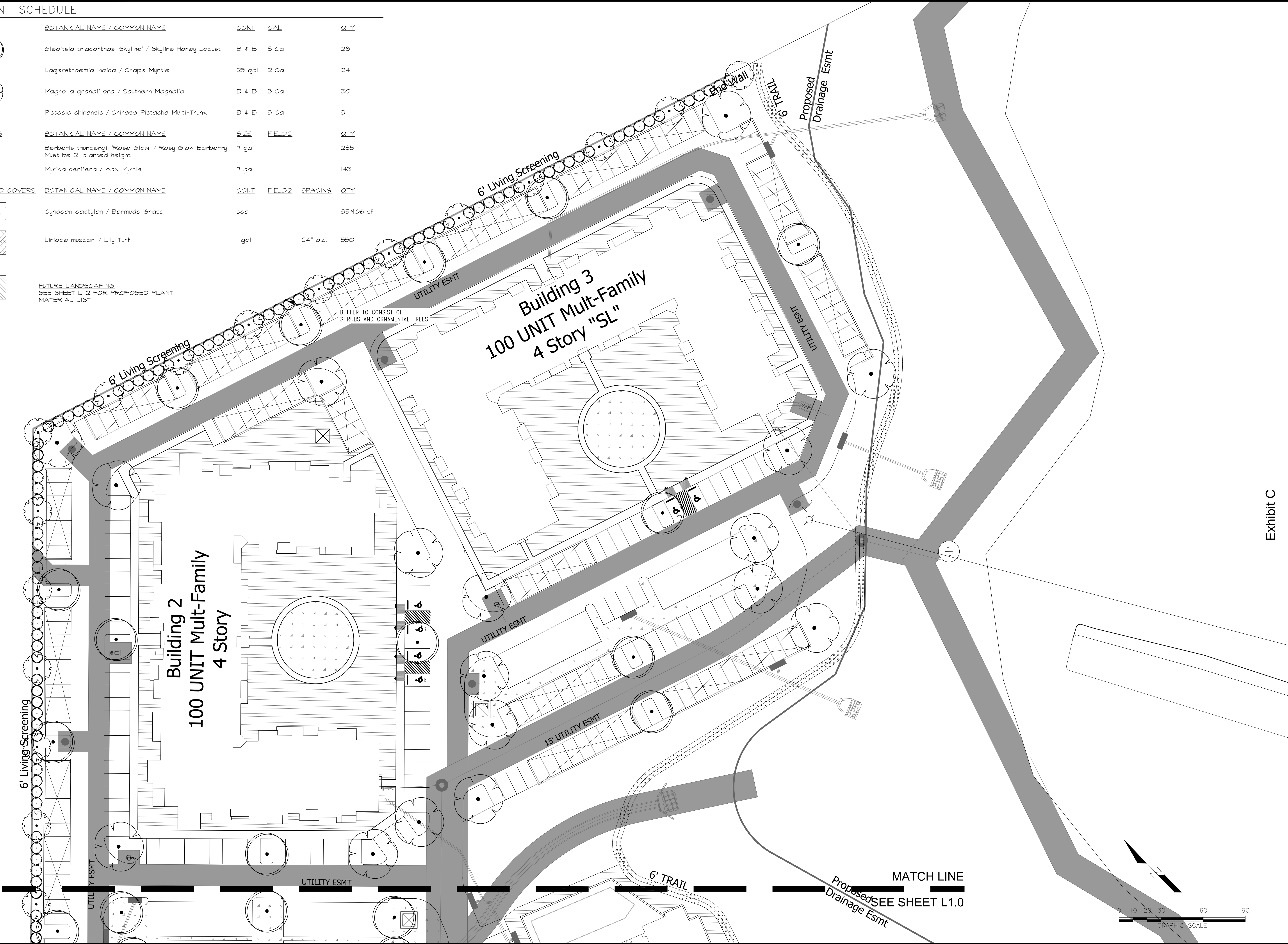
Submittal: 04-13-16
Revised: 05-12-16
Revised: 06-08-16
Revised: 07-13-16

DRAWING NAME
LANDSCAPE
PLAN

C:\Users\jjohnson\Desktop\LEA\Projects\Garland TX\DWG\527116012_LAN 3.dwg-L1.1 Jul 06, 2016 jjjohnson

PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	CONT	CAL	QTY	
	Gleditsia triacanthos 'Skyline' / Skyline Honey Locust	B & B	3'Gal	28	
	Lagerstroemia indica / Grape Myrtle	25 gal	2'Cal	24	
	Magnolia grandiflora / Southern Magnolia	B & B	3'Gal	30	
	Pistacia chinensis / Chinese Pistache Multi-Trunk	B & B	3'Gal	31	
SHRUBS	BOTANICAL NAME / COMMON NAME	SIZE	FIELD2	QTY	
	Berberis thunbergii 'Rose Glow' / Rosy Glow Barberry Must be 2' planted height.	7 gal		235	
	Myrica cerifera / Wax Myrtle	7 gal		143	
GROUND COVERS	BOTANICAL NAME / COMMON NAME	CONT	FIELD2	SPACING	QTY
	Cynodon dactylon / Bermuda Grass	sod			35406 sf
	Liriope muscari / Lily Turf	1 gal		24" o.c.	550
	FUTURE LANDSCAPING SEE SHEET L1.2 FOR PROPOSED PLANT MATERIAL LIST				





Littlejohn
An S&ME Company

1615 Edgewater Drive Suite 200, ORLANDO, FLORIDA 32804
T 407.975.1273 F 407.975.1278
www.littlejohn.com
Landscape Architecture
Professional Seal
Florida Form Registration No. 28050

**FLORDAYS
DEVELOPMENT
COMPANY**
783 SOUTH ORANGE AVE.
SUITE 210
SARASOTA, FLORIDA, 34236

**NORTHSIDE AT THE
WOODLANDS**
GARLAND, TEXAS



NO.	DATE	DESCRIPTION	BY	CHK	APV
1	6/28/16	ADDED 6' TRAIL	JJJ	JJJ	KO

PROJECT NUMBER
527116012

DRAWING NUMBER
L1.1

DRAWING NAME
**LANDSCAPE
PLAN**

MATERIAL LEGEND

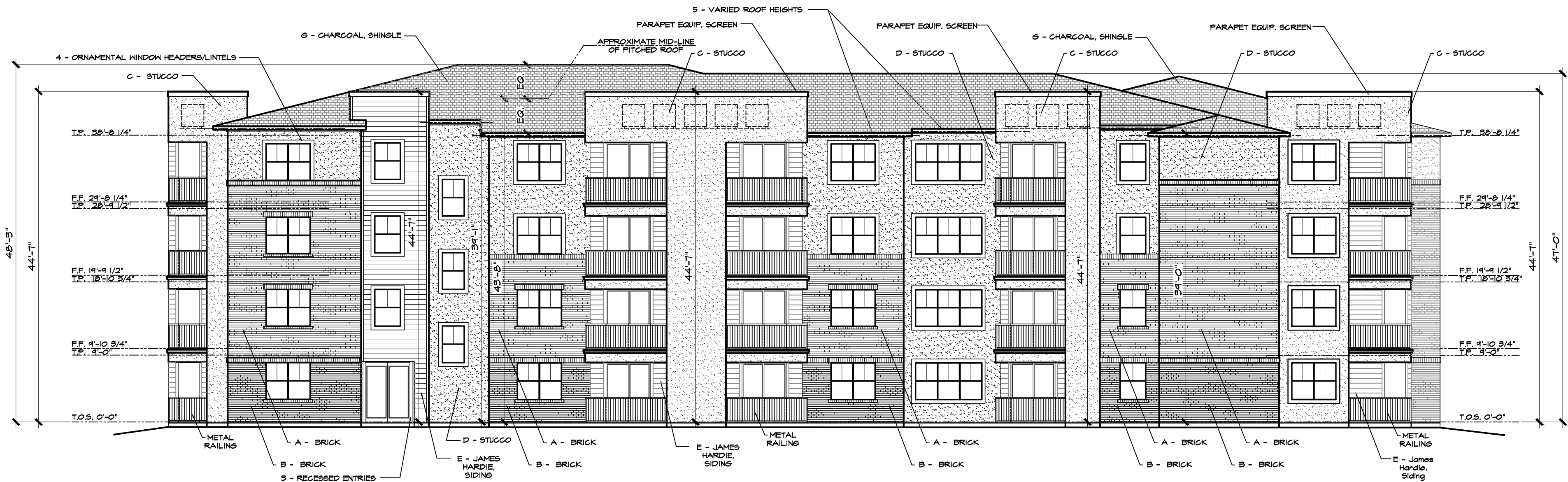
ARCHITECTURAL ELEMENT

- 1 - AWNINGS or CANOPIES
- 2 - DIVIDE LITE WINDOWS
- 3 - RECESSED ENTRIES
- 4 - ORNAMENTAL WINDOW HEADERS/LINTELS
- 5 - VARIED ROOF HEIGHTS
- 6 - BENCHES FOR OUTDOOR SEATING



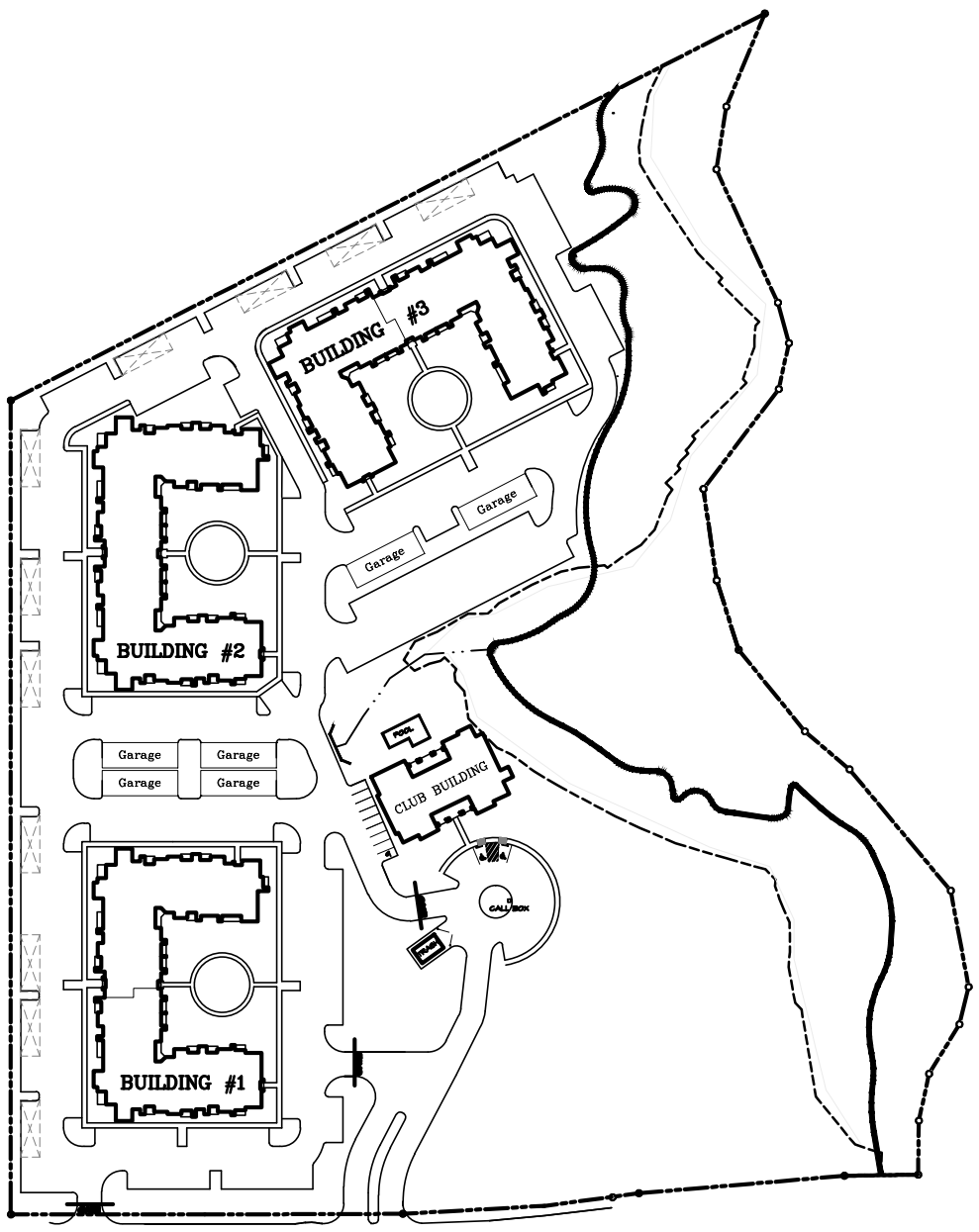
PERCENT MASONRY CALC.

ELEVATION	BRICK	STUCCO	SIDING	TOTAL	% BRICK	% STUCCO	% SIDING
EAST - FRONT	3,830 S.F.	3,424 S.F.	932 S.F.	8,186 S.F.	46.8%	41.8%	11.4%
WEST - REAR	3,686 S.F.	2,728 S.F.	994 S.F.	7,408 S.F.	49.8%	36.8%	13.4%
SOUTH - LEFT	2,161 S.F.	2,058 S.F.	383 S.F.	4,602 S.F.	46.9%	44.7%	8.4%
NORTH - RIGHT	1,787 S.F.	2,435 S.F.	530 S.F.	4,752 S.F.	37.6%	51.2%	11.2%
TOTAL	11,464 S.F.	10,645 S.F.	2,839 S.F.	24,948 S.F.	45.9%	42.7%	11.4%



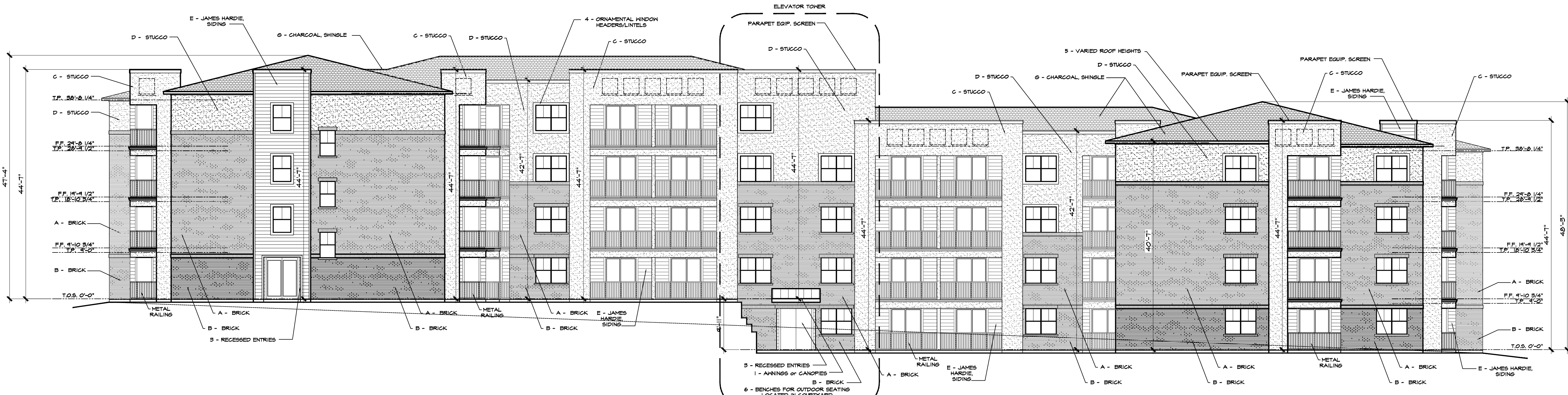
NORTH ELEVATION

SCALE: 3/32"=1'-0"



BUILDING KEY

SCALE: NONE



EAST - FRONT ELEVATION - BUILDING #1 & #3

SCALE: 3/32"=1'-0"

IKEMIRE ARCHITECTS
ARCHITECTURE PLANNING INTERIORS
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972-248-2486 FAX 972-248-1557

Northside at the Woodlands
300 UNIT APARTMENT COMPLEX
FLORIDAYS DEVELOPMENT CO.
ARAPHO RD AND N GARLAND AVE
GARLAND, TEXAS

DATE NAME REVISIONS CASE NO. 160901-I DR RANKIN PLLC

A10

of #
JOB# 215061

[illegible]

Exhibit D

MATERIAL LEGEND

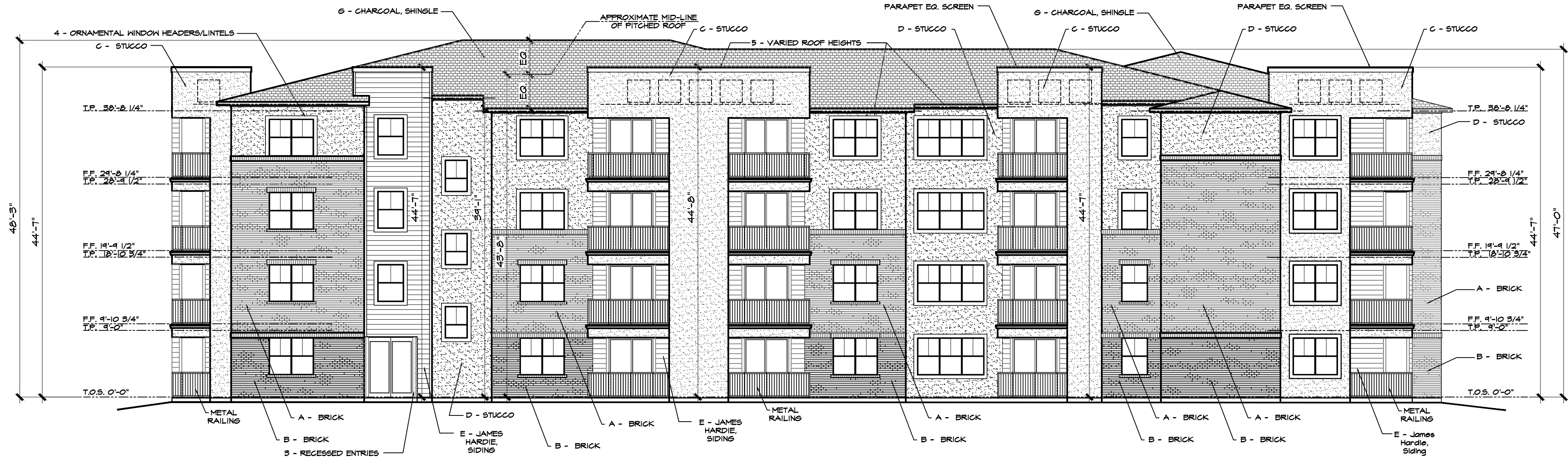
ARCHITECTURAL ELEMENT

- 1 - AWNINGS or CANOPIES
- 2 - DIVIDE LITE WINDOWS
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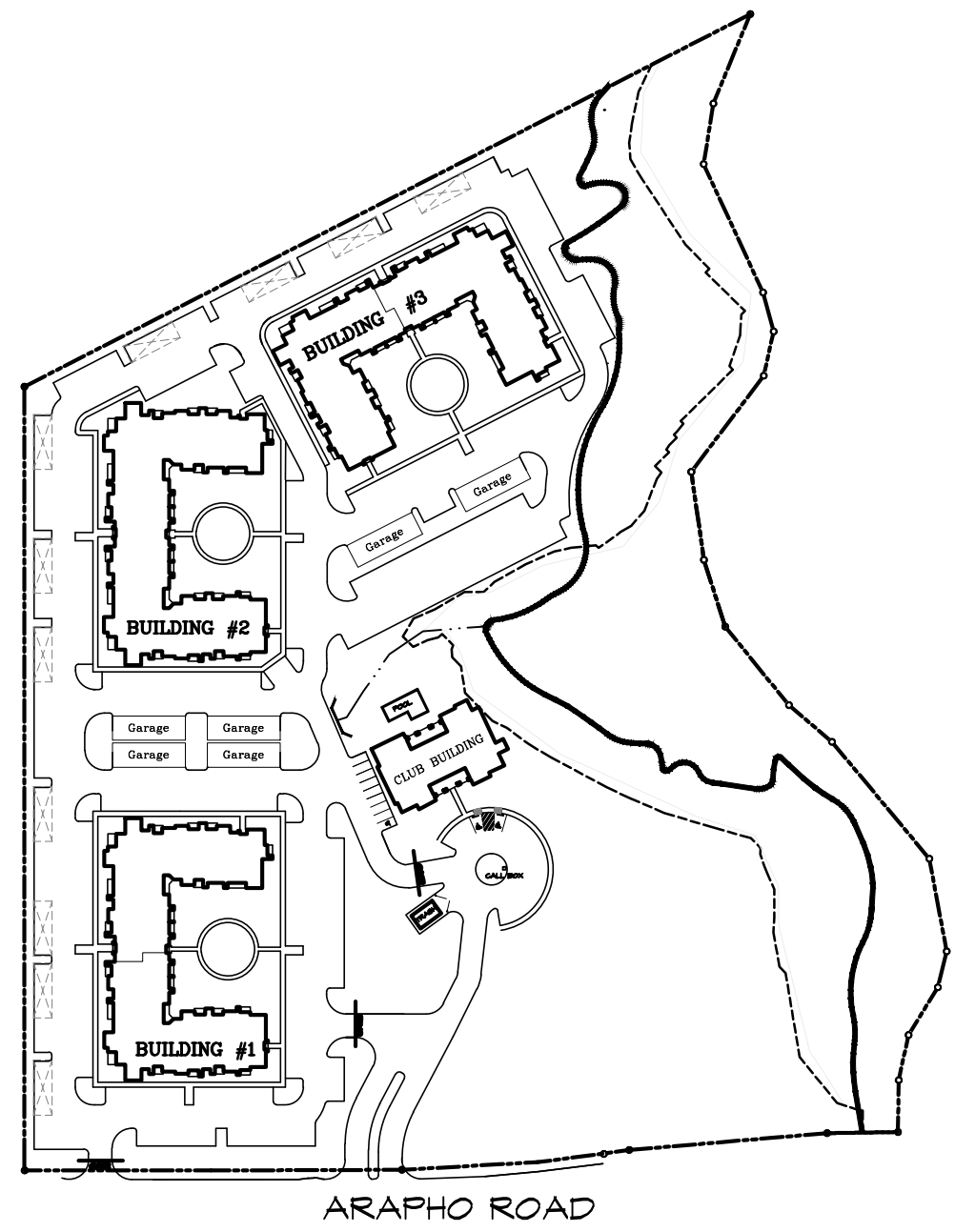


PERCENT MASONRY CALC.

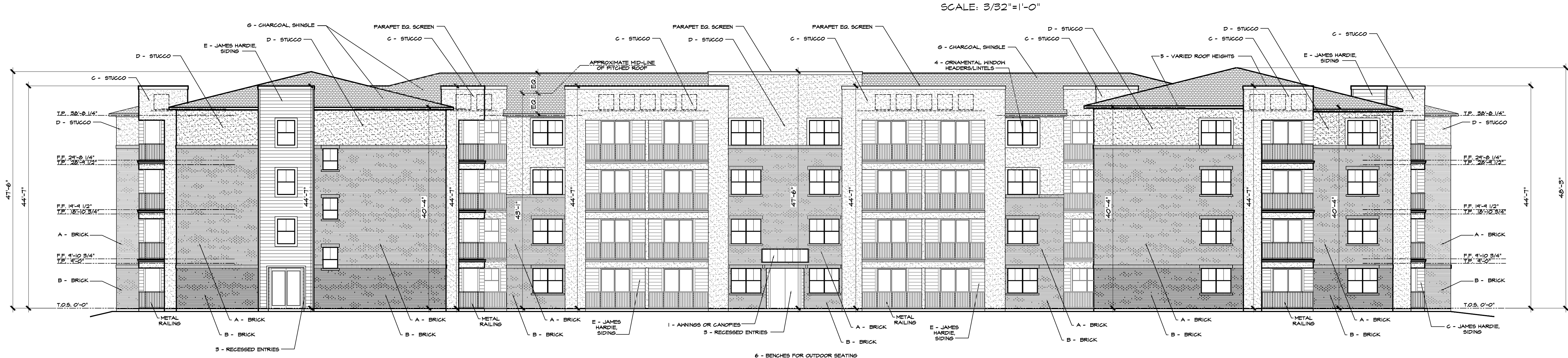
ELEVATION	BRICK	STUCCO	SIDING	TOTAL	% BRICK	% STUCCO	% SIDING
EAST - FRONT	3,921 S.F.	3,249 S.F.	941 S.F.	8,111 S.F.	48.3%	40.1%	11.6%
WEST - REAR	3,580 S.F.	2,796 S.F.	749 S.F.	7,125 S.F.	50.2%	39.2%	10.6%
SOUTH - LEFT	2,135 S.F.	2,042 S.F.	383 S.F.	4,560 S.F.	46.8%	44.7%	8.5%
NORTH - RIGHT	1,785 S.F.	2,444 S.F.	536 S.F.	4,765 S.F.	37.5%	51.3%	11.2%
TOTAL	11,421 S.F.	10,531 S.F.	2,609 S.F.	24,561 S.F.	46.5%	42.9%	10.6%



NORTH ELEVATION



BUILDING KEY
SCALE: NONE



EAST - FRONT ELEVATION - BUILDING #2

SCALE: 3/32"=1'-0"

IKEMIRE ARCHITECTS

ARCHITECTURE PLANNING INTERIORS

16660 DALLAS PKWY., SUITE 2900 DALLAS, TX 972-248-2486 FAX 972-248-1557

Northside at the Woodlands

300 UNIT APARTMENT COMPLEX

FLORIDAYS DEVELOPMENT CO.

ARAPHO RD AND N GARLAND AVE

GARLAND, TEXAS

A12

of

JOB# 215061

DATE

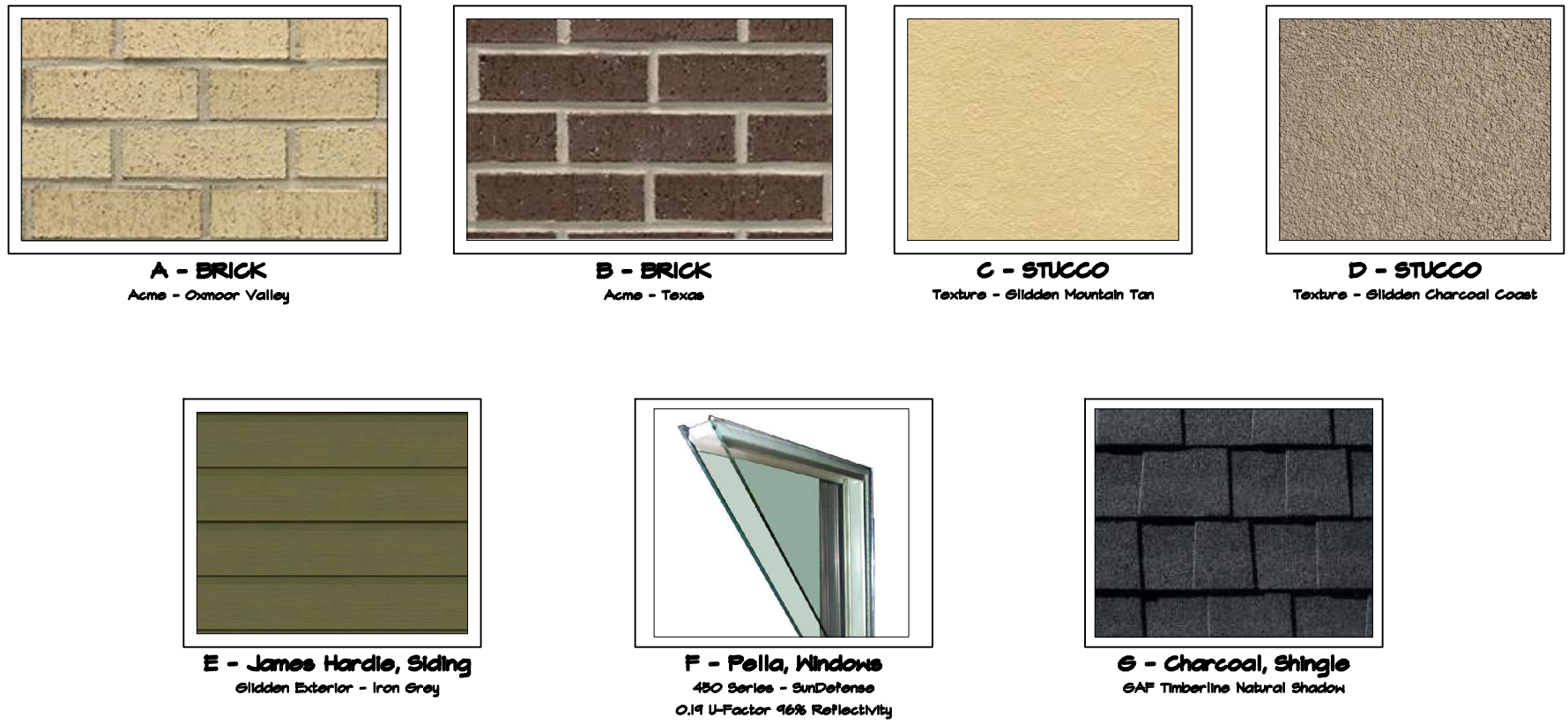
NAME

REVISIONS

CASE NO. 160901-I

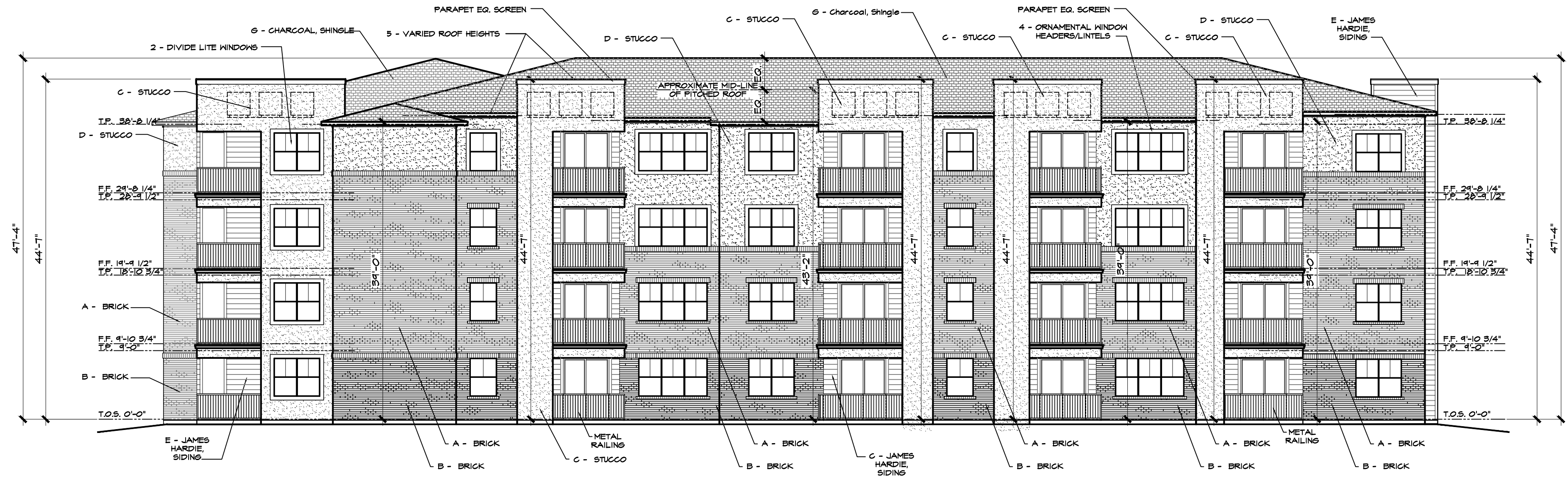
APPLICANT: DR RANKIN PLLC

MATERIAL LEGEND



PERCENT MASONRY CALC.

ELEVATION	BRICK	STUCCO	SIDING	TOTAL	% BRICK	% STUCCO	% SIDING
EAST - FRONT	3,921 S.F.	3,249 S.F.	941 S.F.	8,111 S.F.	48.3%	40.1%	11.6%
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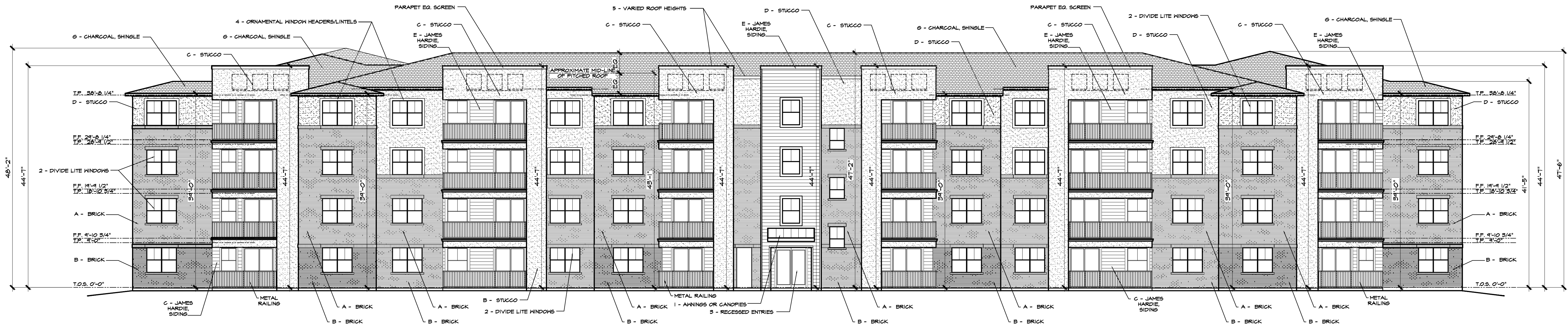


SOUTH ELEVATION

SCALE: 3/32"=1'-0"

ARCHITECTURAL ELEMENT

- 1 - AWNINGS or CANOPIES
- 2 - DIVIDE LITE WINDOWS
- 3 - RECESSED ENTRIES
- 4 - ORNAMENTAL WINDOW HEADERS/LINTELS
- 5 - VARIED ROOF HEIGHTS
- 6 - BENCHES FOR OUTDOOR SEATING



WEST ELEVATION - BUILDING #2

SCALE: 3/32"=1'-0"

IKEMIRE ARCHITECTS
ARCHITECTURE PLANNING INTERIORS
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972-248-2486 FAX 972-248-1557

Northside at the Woodlands
300 UNIT APARTMENT COMPLEX
FLORIDAYS DEVELOPMENT CO.
ARAPHO RD AND N GARLAND AVE
GARLAND, TEXAS

DATE NAME REVISIONS CASE NO. 160901-1 APPLICANT: DR. RANKIN, PLLC

A13

of #
JOB# 215061

REPORT & MINUTES

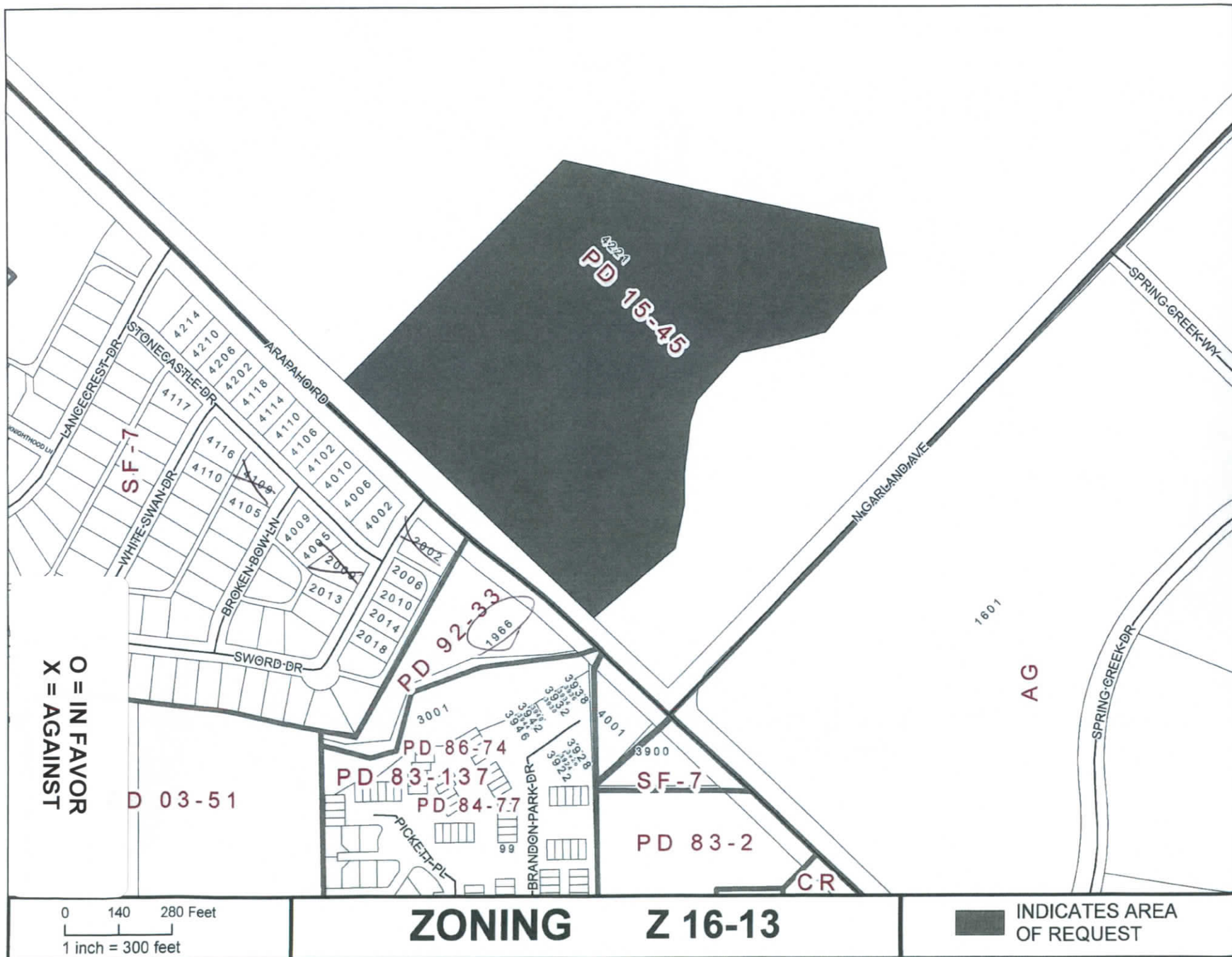
P.C. Meeting, July 25, 2016 (7 Members Present)

Consideration of the application of D. R. Rankin PLLC, requesting approval of 1) an amendment to the Concept Plan for Planned Development (PD) District 15-45, 2) a Detail Plan for Multi-Family Uses on property zoned Planned Development (PD) 15-45 District for Single-Family-5 Uses, Multi-Family Uses and Limited Community Office Uses. (District 7) (File Z 16-13) (This item was postponed from the July 11, 2016 Plan Commission meeting).

Representing the applicant, Tom Perdew, 2900 Ash Drive, Leesburg, FL., provided a brief overview of the request.

The applicant Don Rankin, 2321 Daybreak Trail, was available for questions. There were no questions of this applicant.

Motion was made by Commissioner Luckie, seconded by Commissioner Dalton to approve the request per staff recommendation. **Motion carried: 6 Ayes, 0 Nays.** Commissioner Fisher recused himself from this case.





GARLAND

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

May 12, 2016

HEARING DATE/TIME: Plan Commission: May 23, 2016 – 7:00 PM

APPLICANT: DR Rankin, PLLC

File Z 16-13

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, May 23, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of DR Rankin, PLLC, requesting approval of 1) an amendment to the Concept Plan for Planned Development (PD) District 15-45, 2) a Detail Plan for Multi-Family Uses on property zoned Planned Development (PD) 15-45 District for Single-Family-5 Uses, Multi-Family Uses and Limited Community Office Uses. The property is shown on the enclosed sketch and is described as follows:

BEING an approximate 17.892 acre tract of land, situated in the Onefre Alvarado Survey, Abstract No. 2, Garland, Dallas County, Texas, and being part of Tract No.1, Tract No. 2 and in deed to Althec Partnership, Ltd. as recorded in Volume 2002049, Page 2378, Deed Records of Dallas County, Texas. This property is located at 4221 Arapaho Road. (District 7)

Note: The applicant seeks approval of a Detail Plan for a 300-unit multi-family development. The multi-family development will occupy approximately 18 acres of a larger 142 acre mixed-use development.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474. Should you have any questions, please contact Isaac Williams at 972-205-2459.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Traffic had been bad. I think that this will go from bad to horrible.
(Please complete the following information)

Your Property Address

Ricky Waco
Printed Name

2009 Sword Drive
Address

City, State

Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

Ricky K. Waco
Signature

Title

Date: *8-23-16*



GARLAND

May 12, 2016

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: May 23, 2016 – 7:00 PM

APPLICANT: DR Rankin, PLLC

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below:

(Please complete the following information)

Your Property Address

~~4109 Broken Bow Lane~~ Yin Cheung Woo

Printed Name

4109 Broken Bow Lane

Garland, TX

75044

Address

City, State

Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

Signature

Date:

Title

5/24/16



GARLAND

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

May 12, 2016

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(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

(Please complete the following information)

Your Property Address

Barbara Graves
Printed Name
4221 Arapaho Rd Garland TX 75044
Address City, State Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

Signature Barbara Graves Title President/Owner
Date: 5/18/16

MAY 23 2016 PM 2:04



GARLAND

May 12, 2016

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: May 23, 2016 – 7:00 PM

APPLICANT: DR Rankin, PLLC

File Z 16-13

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

see enclosed letter

(Please complete the following information)

Your Property Address

Helene Morrel

Printed Name

2002 Sword Drive

Garland Tx

75044

Address

City, State

Zip

H. Morrel
The above statements reflect my (our) opinion regarding the proposed request(s).

Signature

Title

Date:

May 20, 2016

currently, during most of the day the volume of traffic on Arapaho is so high that I have difficulty turning either left or right from Suwand onto Arapaho. Holding an additional 300-unit multi-family development has the potential to increase the traffic counts on Arapaho by 300 to 600 vehicles at a minimum of twice a day making it even ~~more~~ more difficult to leave my subdivision. Does the city have any plans to increase the number of lanes on Arapaho to provide for the increased traffic load? Unless the city has plans to provide for this increase in traffic, I am opposed to any future development which increase the traffic any greater than the existing levels.

JM. Mould



GARLAND

May 12, 2016

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: May 23, 2016 – 7:00 PM

APPLICANT: DR Rankin, PLLC

File Z 16-13

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, May 23, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 247 North Fifth Street, to consider the application of **DR Rankin, PLLC**, requesting approval of 1) an amendment to the Concept Plan for Planned Development (PD) District 15-45, 2) a Detail Plan for Multi-Family Uses on property zoned Planned Development (PD) 15-45 District for Single-Family-S Uses, Multi-Family Uses and Limited Community Office Uses. The property is shown on the enclosed sketch and is described as follows:

BEING an approximate 17.892 acre tract of land, situated in the ~~Oneira Alvarado~~ Survey, Abstract No. 2, Garland, Dallas County, Texas, and being part of Tract No. 1, Tract No. 2 and in deed to Althea Partnership, Ltd. as recorded in Volume 2002049, Page 2378, Deed Records of Dallas County, Texas. This property is located at 4221 Arapaho Road. (District 7)

Note: The applicant seeks approval of a Detail Plan for a 300-unit multi-family development. The multi-family development will occupy approximately 18 acres of a larger 142 acre mixed-use development.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Isaac Williams at 972-205-2459.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

This property is a very good location for a Plan Development District as presented by DR Rankin, PLLC. It will enhance the North Garland Corridor and bring in more tax dollars for the City of Garland.

It is a nice piece of property. It has 3 streets and a creek around it with lots of trees around the creek. I think this enhances the property for the Plan Development being presented.

(Please complete the following information)

Your Property Address

Althea Partnership, LTD

Printed Name

4217 N. Garland Ave.

Garland, TX

75040

Address

City, State

Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

Sharon Chubb

Partner

Signature

Title

Date: 5/19/16



GARLAND PLANNING REPORT

City Council Regular Session Agenda

Agenda Item 10. b.

Meeting Date: August 16, 2016

Item Title: Z 16-26 Craig Turner

Submitted By: Will Guerin, Planning Director

REQUEST

Approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District.

OWNER

Via Bayou Inc.

PLAN COMMISSION RECOMMENDATION

On July 25, 2016, the Plan Commission by a vote of seven (7) to zero (0) recommended approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District.

STAFF RECOMMENDATION

Staff recommends approval of a Change in Zoning from Agricultural (AG) District to Single-Family (SF-10) District. Rezoning from Agricultural (AG) District is consistent with the intended transition from agricultural land to more urban land. Also while the Agricultural (AG) District is categorized as a residential district, the Single-Family-10 (SF-10) District supports a more flexible building and site design facilitating development that is more consistent with adjacent zoning and development along Zion Road.

BACKGROUND

The applicant requests approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District for the redevelopment of a single-family building site.

The storm of December 26, 2015 heavily damaged the single-family dwelling occupying the site. The applicant desires to continue the single-family usage, and proposes the development of a three-story 3,500 square-foot dwelling.

SITE DATA

The subject site contains approximately 1.016 acres fronting for 122.29 feet along Zion Road. The proposed dwelling is accessible from Zion Road through an existing driveway along the eastern property line.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Agricultural (AG) District. The Agricultural (AG) District is intended for vacant land which is not yet ready for development, land which is used for agricultural or open space purposes, land which due to its topography or location within a floodplain or other undevelopable area is not anticipated to be developed for more intense use, and land which has been newly annexed into the City of Garland. Residential development on agricultural land typically consists of homesteads on large tracts generally no less than two acres in size. Single-family uses on large lots are appropriate in this district; however, the proposed use is more consistent with standards found in a standard residential district.

CONSIDERATIONS

Change in Zoning

1. The request is a traditional rezoning without the formation of a Planned Development (PD) District. These requests do not require Concept Plan or Detail Plan approval to commence or direct development. In many circumstances the purpose of a Planned Development zoning district is to provide for the guidance of land development in accordance with special conditions or with a Concept Plan and/or Detail Plan that may include uses, regulations and other requirements that vary from the provisions of other zoning districts. A change in zoning will generally not contain such special conditions, nor the provision of a Concept Plan and/or Detail Plan for more specific development guidance. Development is highly dependent on the standards set forth by the Garland Development Code (GDC) and the goals and policies established within the Envision Garland 2030 Comprehensive Plan. A change in zoning is not intended to restrict uses or secure development performances beyond what is permitted within the proposed zoning district and the GDC. Accordingly the GDC requires careful consideration as to how closely the proposed district follows the policies of the Envision Garland 2030 Comprehensive Plan, and to what degree will the rezoning impact surrounding and future development.
2. The Single-Family (SF-10) District is intended to provide for development of primarily low-density detached, single-family residences on a variety of lot sizes, churches, schools, and public parks in logical, livable, and sustainable neighborhoods. The applicant proposes to develop the site in a manner consistent with the stated purpose of the Single-Family (SF-10) District. The site contains approximately 44,256.96 square feet or 1.016 acres. The Agricultural (AG) District requires a minimum of 87,120 for development. Comparatively, the Single-Family-10 (SF-10) District requires a minimum of 10,000 square feet. Setbacks within the Agricultural (AG) Districts are much greater than more urban

residential districts and reflective of a more rural development pattern.

3. The GDC provides the tools to ensure that development standards which promote efficient use of land and resources and which are supportive of the policies of the Comprehensive Plan are incorporated into site development, including but not limited to building and site design.
4. The intent of the request is the continuation of the existing use. The request is consistent with the Land Use Goals and Policies of Envision Garland 2030 Comprehensive Plan.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan designates the subject property Regional Centers. Regional Centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. The Regional Centers designation is more closely representative of the non-residential area associated with Harbor Point. Regional Centers are grouped in the Activity Centers Building Block. Residential uses, though uncommon, are not prohibited in this building block.

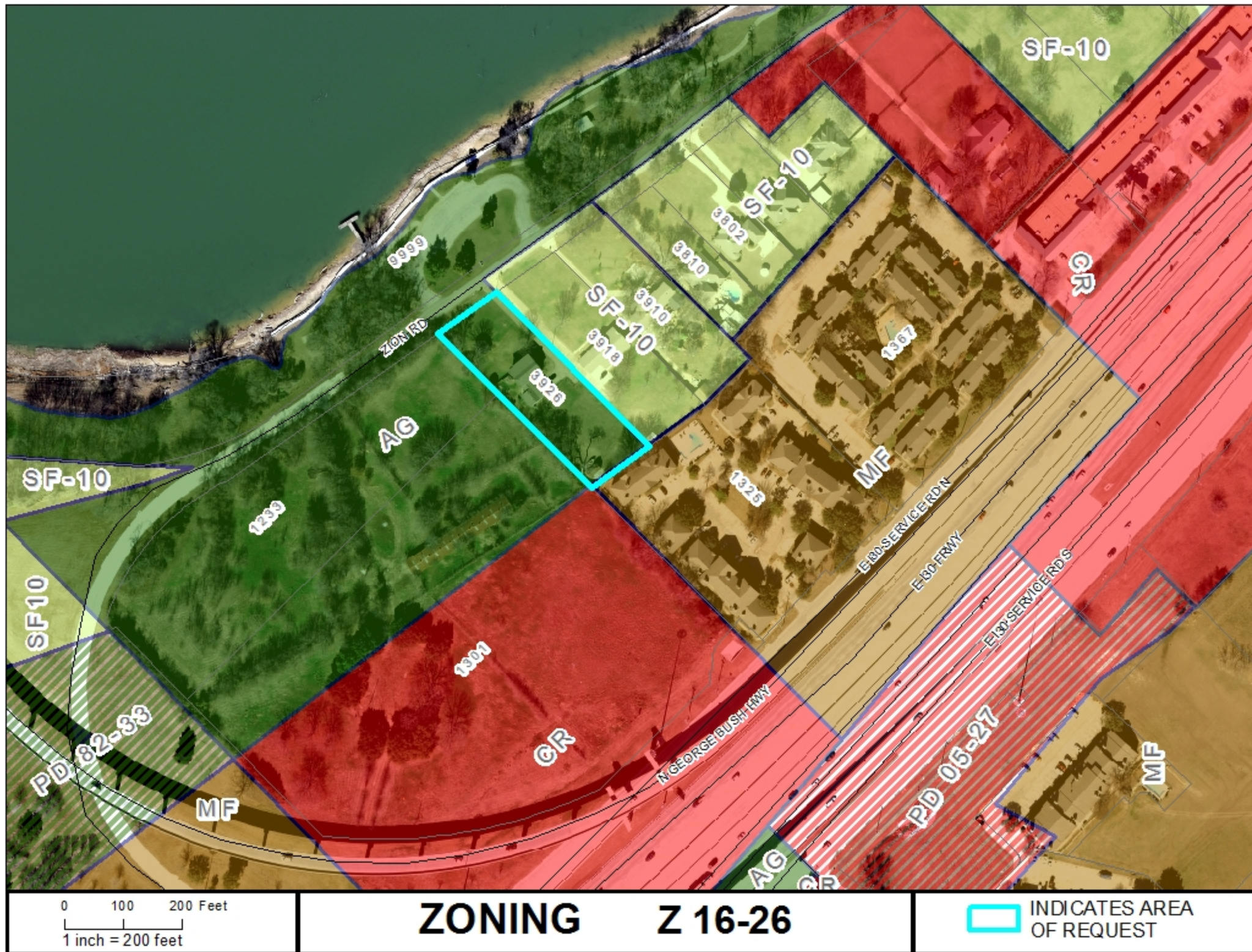
COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The immediate adjacent properties mostly consist of residential uses. To the east, properties are developed with single-family residential uses within the Single-Family-10 (SF-10) District. Property immediately south of the site is developed with multi-family uses. North across Zion Road is land dedicated to the shoreline and trail of John Paul Jones Park along Lake Ray Hubbard. A majority of the property west and southwest of the site is zoned Agricultural (AG) District and Community Retail (CR) District. The subject site is adjacent to an existing Single-Family (SF-10) District; therefore, the request would not introduce any new uses that may be incompatible with the surrounding area.

Attachments

Z 16-26 Craig Turner Attachments

Z 16-26 Craig Turner Notification Responses



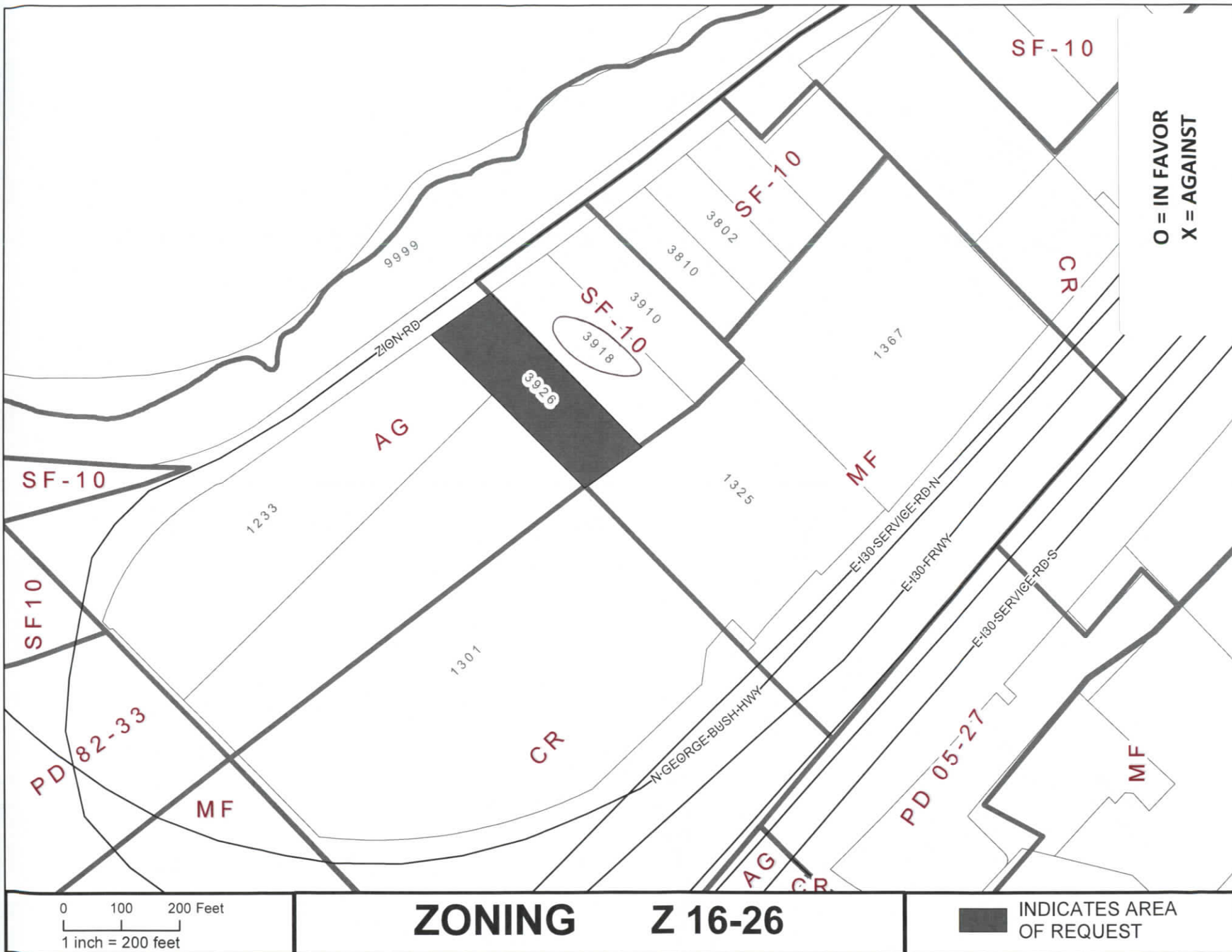
REPORT & MINUTES

P.C. Meeting, July 25, 2016 (7 Members Present)

Consideration of the application of Craig Turner, requesting approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District. This property is located at 3926 Zion Road. (District 3) (File Z 16-26)

The applicant was available for questions. There were no questions of this applicant.

Motion was made by Commissioner Dalton, seconded by Commissioner Moore to approve the request per staff recommendation. **Motion carried: 7 Ayes, 0 Nays.**





GARLAND

July 14, 2016

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: July 25, 2016 – 7:00 PM

APPLICANT: Via Bayou, Inc.

File: Z 16-26

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, July 25, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Via Bayou, Inc.**, requesting approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District. The property is shown on the enclosed sketch and is described as follows.

BEING a tract of land situated in the James Loving Survey, Abstract No. 791 and the R. Bateman Survey, Abstract No. 89 of Dallas County, Texas and being the called southwest 1/2 of that certain 2.0 acre tract of land described in deed to Marvin Loving recorded in Volume 3040, Page 363 of the Deed Records of Dallas County, Texas and also being that certain tract of land described in deed to Kenneth Ewing recorded in Volume 80024, Page 1868 of the Deed Records of Dallas County, Texas. This property is located at 3926 Zion Road. (District 3).

Note: The applicant requests approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District for the development of a 1.016 acre single-family dwelling site.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Isaac Williams at 972-205-2445.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

(Please complete the following information)

Your Property Address

JO Ann + H.G. Stanley

Printed Name

3918 Zion Rd

Address

Garland Texas

City, State

75043

Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

JO Ann Stanley

Signature

Owner

Title

Date: 7-21-16

JUL 26 2016 PM 2:29