
Community Development Department

STAFF STRONGLY RECOMMENDS A PRE-DEVELOPMENT MEETING BEFORE THE SUBMITTAL OF ANY APPLICATION FOR ZONING, REZONING, CONDITIONAL USE PERMIT (CUP), OR FOR A TEXT AMENDMENT TO A PROVISION(S) OF THE ZONING ORDINANCE.

Applications shall contain the following (all required items/information must be received by the Community Development Department in order for a concept plan or site plan application to be considered complete – incomplete submissions will not be reviewed until all deficient items and information have been received).

- An application form available in the Community Development Department.
- Verification that all taxes and assessments on the subject property have been paid.
- Payment of the appropriate fee.
- An accurate metes and bounds description of the subject property (or other suitable legal description).
- A survey (i.e., drawing) exhibit and other appropriate exhibits (i.e., site plans, maps, architectural elevations, information about proposed uses, etc.).
- A concept plan shall also be submitted along with any zoning request involving a Conditional Use Provision (CUP) request or the formation of a Planned Development (PD) district.

CONCEPT PLAN SUBMISSION REQUIREMENTS:

- **20 FOLDED** copies of the concept plan on 24" x 36" sheet, and drawn to a known engineering scale that is large enough to be clearly legible.
- **2** copies each (11" x 17" and 8.5" x 11") of the concept plan.
- **1** electronic copy (disk or CD) in **DWF** of the concept plan.
- **4** copies of the general layout for the required public improvements (water, wastewater, grading/storm drainage, streets, water quality, alleys, fire lanes and hydrants, etc.).
- Landscaping and irrigation plans (if necessary).
- Building façade (elevation) plans drawn to scale (if necessary).
- Any additional information/materials (such as plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the Community Development Department.

Procedures and Submission Requirements For Concept Plan Approval - Submission of an application for concept plan approval shall be preceded by a pre-application conference with the City. The concept plan shall be prepared by a qualified civil engineer, land planner, architect or surveyor, at a scale no smaller than one inch equals two hundred feet (1" = 200') and on sheets twenty-four inches by thirty-six inches (24" x 36"), and it shall show the following:

Community Development Department

1. A title block within the lower right hand corner of the concept plan with the proposed name of the project/subdivision, the name and address of the owner/developer and the land planner, engineer architect or surveyor responsible for the design or survey, the scale of the drawing (both written and graphic scale), the date the drawing was prepared, total site acreage, and the location of the property according to the abstract and survey records of Kaufman County, Texas;
2. A vicinity or location map that shows the location of the proposed development within the City (or its ETJ) and in relationship to existing roadways;
3. The boundary survey limits of the tract and scale distances with north clearly indicated;
4. The names of adjacent subdivisions (or the name of the owners of record and recording information for adjacent parcels of unplatted land), including parcels on the other sides of roads, creeks, etc. The concept plan shall include a depiction of all contiguous holdings of the property owners, the existing/proposed uses of the subject property, a general arrangement of future land uses, including the approximate number of lots and any residential uses anticipated, and a generalized circulation plan for the subject property;
5. The existing zoning and existing/proposed uses on adjacent land; the location, width and names of all existing or platted streets or other public ways within or adjacent to the tract; any existing easements (with recording information); existing buildings; railroad rights-of-way; topography (contours at five-foot intervals) with existing drainage channels or creeks (including the 100-year flood plain, if applicable); any other important natural features (such as rock outcroppings, caves, wildlife habitats, etc.); all substantial natural vegetation; and adjacent political subdivisions, corporate limits, and/or school district boundaries;
6. Proposed strategies for tree preservation (showing individual trees or tree masses that will be preserved, and the techniques that will be used to protect them during construction);
7. The layout and width (right-of-way lines) of existing and proposed thoroughfares, collector streets and/or intersections, and a general configuration of proposed streets, lots and blocks, including proposed median openings and left turn lanes on future divided roadways (existing and planned driveways on the opposite side of divided roadways must also be shown for coordination and sharing of future median openings);
8. A general arrangement of land uses and buildings, including but not limited to proposed nonresidential and residential densities; building heights, square footages, massing, orientation, loading/service areas, recycling containers, compactors and dumpster enclosures, pedestrian walkways, and parking areas; any proposed sites for parks, schools, public facilities, public or private open space; flood plains/drainageways; and other pertinent development related features; and
9. The phasing of development (the anticipated order of development for the overall property).

APPROVAL PROCESS AND REVISIONS:

Pre-Application Conference - The applicant(s) shall avail themselves of the advice and assistance of the City officials, and shall consult early and informally with the staff before

Community Development Department

preparing a concept plan in order to save time, money and to avoid potential unnecessary delays.

City Staff Review - Upon official submission of a complete application for concept plan, the City shall commence technical review of the development proposal by forwarding a copy of the application to development review team members (such as the City Manager, City Engineer, Planning Director, Building Official, Fire Chief, etc.). Development review team members shall review the application and shall ascertain its compliance with these and other applicable City regulations. Following City staff review of the plan and supporting documents, and following discussions with the applicant on any revisions deemed advisable and the kind and extent of improvements to be installed, the applicant shall resubmit additional copies of the corrected plan no later than ten (10) calendar days prior to the Planning and Zoning Commission meeting. Failure to resubmit corrected copies of the plan back to the City in time shall be cause for the staff to forward the plan application to the Commission as it was originally submitted rather than the corrected version (corrected copies of the plan resubmitted to the City less than ten days prior to the meeting date shall not be accepted or forwarded to the Commission). If, upon re-submission of the corrected plan to the City, the staff determines that the application is still incomplete or not correct (i.e., not ripe for consideration), the plan application shall be subject to denial.

Action By the Planning and Zoning Commission and the City Council - All concept plan applications shall be reviewed by the Planning and Zoning Commission, and if in conformance with the provisions of this Ordinance and all other applicable regulations and codes of the City, they shall then be considered for approval by the City Council.

The staff shall schedule consideration of the concept plan on the regular agenda of the Planning and Zoning Commission within thirty (30) calendar days after the submission is received (or, in the case of an incomplete submission, after the submission is deemed complete). The Planning and Zoning Commission shall review the concept plan and shall recommend approval, approval subject to certain conditions, or disapproval of the concept plan or site plan. If the Planning and Zoning Commission recommends approval (with or without conditions) of the plan, then it will be forwarded to the City Council for consideration. If the Planning and Zoning Commission recommends disapproval of a plan application, the Commission shall state such disapproval and the reasons therefore. The applicant or property owner may appeal such decision to City Council by filing a written Notice of Appeal to the staff no later than ten (10) calendar days after the date upon which the Commission denied the application. The Notice of Appeal shall set forth in clear and concise fashion the basis for the appeal. The City Council shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date upon which the Notice of Appeal was filed. The City Council may change the decision of the Commission by a three-quarters (3/4) vote of the full City Council. The City Council may also, where appropriate, remand the concept plan application back to the Commission for reconsideration if it believes that there is a compelling reason to do so (such as the introduction of significant new facts or testimony, etc.). The City Council shall determine final approval or disapproval of all concept plan applications.

ZONING CASE PRESENTATION

The following suggestions are provided to assist in preparing your presentation before the Planning and Zoning Commission and City Council.

1. **Be brief and concise.** Use only the amount of time necessary to clearly state the facts

Community Development Department

related to the request. City Council allots 15 minutes to hear each side, pro or con, of a request. Therefore, you and those speaking on your behalf have a total of 15 minutes to present your case. An additional 2 minutes is allowed for rebuttal by the applicant. The Planning and Zoning Commission allots 20 minutes for the applicant to present the case, and the opposition also has 20 minutes to speak.

2. **Avoid repetition.** If you want to have other people speak on behalf of your request, each should have something to contribute to consideration of your case. It is preferable to have one spokesman, if possible, with others available to help answer questions and provide technical information.
3. **Section 10** sets forth that no change shall be made in these regulations or in the boundaries of the zoning district except:
 - To correct any error in the regulations or map, or
 - To recognize changed or changing conditions or circumstances in a particular locality, or
 - To recognize changes in technology, the style of living, or manner of conducting business.

In making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council shall consider the following factors:

- Whether the uses permitted by the proposed zoning change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole;
- Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers and other utilities to the area;
- The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development;
- The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change;
- How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved; and,
- Any other factors which will substantially affect the public health, safety, morals or general welfare.

Presentations should keep these points in mind.

4. **Describe anticipated impacts**, negative and positive, of the requested zoning and proposed use on existing development and public facilities.
5. **Explain** what efforts (and results of meetings, if any were held) have been made between the applicant and nearby property owners to discuss the application.
6. **Visual aids** such as slides, maps, plans and photographs may be used to enhance your presentation. Make sure that they are clear and easy to view from a distance.

