



Life Connected.

**PLANNING & ZONING COMMISSION REGULAR MEETING
CELINA COUNCIL CHAMBERS
112 N. COLORADO ST.
THURSDAY, DECEMBER 18, 2025
5:00 PM
AGENDA**

- I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:** The Chair will call the meeting to order, establish a quorum, and lead those present in a salute to the American and Texas flags.
- II. OPEN FORUM:**
Open Forum is for information only. If you wish to speak, please sign one of the “Speaker Cards” and present to the Staff Liaison prior to the beginning of the meeting. Speakers are limited to three (3) minutes. No action can be taken. No charges and/or complaints will be heard against any elected official or employee of the city that are prohibited by law.
- *Please note** Anyone wishing to furnish copies/handouts regarding their item of interest must provide nine (9) copies and present them to the Staff Liaison for distribution.
- III. WORKSESSION:** The Planning & Zoning Commission will hold a Worksession to receive the Director’s report, discuss future agenda items, update on Council actions, training topics, and request for new business consideration. The meeting is open to the public.
Reconvene to the Council Chambers.
- IV. CONSENT AGENDA:**
Items are considered self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Planning and Zoning Commission.
- A. Minutes Approval:
1. Minutes from the November 20, 2025, Planning & Zoning Commission meeting.
- V. PUBLIC HEARING/ACTION:**
- A. Conduct a public hearing to consider and act upon a request for a Specific Use Permit (SUP) to allow for an Auto, Gas Pumps/Fuel use on approximately 2 acres; generally located at the northeast corner of Coit Road and Frontier Parkway, within the City Limits. (7 Eleven – Specific Use Permit)
- B. Conduct a public hearing to consider and act upon a request to amend the City’s Code of Ordinances, by amending Chapter 14: Zoning, Article 14.03: Use Regulations, Part Two: Accessory Structures, and related sections of the Zoning Ordinance. (Text Amendment)
- VI. ADJOURNMENT:**

City Council Chambers is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf, or hearing impaired, or readers of large print, are requested to contact the City Secretary's Office at 972-382-2682, or fax 972-382-3736 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

“I, the undersigned authority, do hereby certify that the Notice of Meeting was posted on the bulletin board at City Hall of the City of Celina, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: _____ at ____:_____ and remained so posted continuously for at least three (3) business days prior to the scheduled time of said meeting.”

Staff Liaison



Life Connected.

**PLANNING & ZONING COMMISSION REGULAR MEETING
CELINA COUNCIL CHAMBERS
112 N. COLORADO ST.
THURSDAY, NOVEMBER 20, 2025
5:00 PM
MINUTES**

- I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:** Chair Bain called the meeting to order at 5:00 pm, established a quorum, and led those present in a salute to the American and Texas flags.

Members Present:
Chair Shawn Bain
Vice Chair Bryan Poche
Commissioner Alan Upchurch
Commissioner Daniel Trigo
Commissioner Jason Laumer
Commissioner Michel Dawson
Commissioner Ryan Samuelson

Members Absent:

Staff Present:
Executive Director of Development Services,
Dusty McAfee
Assistant Director of Development Services,
Madhuri Mohan
Long Range Planning Manager,
Melissa Kleineck
Principal Planner, Victoria Kiker Simpson
Principal Planner, Sandra Green
Senior Planner, Haley Yansky

- II. OPEN FORUM:**
Open Forum is for information only. If you wish to speak, please sign one of the “Speaker Cards” and present to the Staff Liaison prior to the beginning of the meeting. Speakers are limited to three (3) minutes. No action can be taken. No charges and/or complaints will be heard against any elected official or employee of the city that are prohibited by law.

Please note Anyone wishing to furnish copies/handouts regarding their item of interest must provide nine (9) copies and present them to the Staff Liaison for distribution.

No one came forward to speak.

- III. WORKSESSION:** The Planning & Zoning Commission held a Worksession to receive the Director’s report, discuss future agenda items, update on Council actions, training topics, and request for new business consideration. The meeting is open to the public.
Reconvene to the Council Chambers.

IV. PRESENTATIONS:

- A. Chair & Vice-Chair Appointments
Commissioner Laumer motioned to maintain the current Chair and Vice Chair appointments, and Commissioner Samuelson seconded the motion. The Commission voted unanimously to approve, with all seven members in favor and none opposed. Chair Bain and Vice Chair Poché will remain in their appointed positions. The motion carried 7-0
- B. Presentation of the Planning Implementation Award (Gold)
Melissa Kleineck, Long Range Planning Manager, presented the Planning Implementation Award.

V. CONSENT AGENDA:

Items are considered self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Planning and Zoning Commission.

A. Minutes Approval:

1. Minutes from the October 16, 2025, Planning & Zoning Commission meeting.

Upon a motion by Commissioner Dawson and a second by Chair Bain, the Commission voted seven (7) for and none (0) opposed to approve the minutes of the October 16th Planning & Zoning Commission meeting. The motion carried 7-0.

VI. PUBLIC HEARING/ACTION:

- A. Conduct a public hearing to consider and act upon a request to zone an approximately 6 acre tract of land legally described as PRESTON 450 ADDITION (GCN), LOT 43, Collin, County, Texas, as further identified in the Collin County Appraisal District as Property ID #1498150 to Agricultural District (AG), within the Extraterritorial Jurisdiction (ETJ). (Summer Annexation Contract Expiration (Property ID 1498150 - Zoning)

Ms. Kleineck presented the staff report.

Chair Bain opened the public hearing at 5:29 pm.

No one came forward to speak, and the public hearing was closed at 5:29 pm.

Vice Chair Poche motioned to approve the item as proposed.

Commissioner Laumer seconded the motion.

All were in favor, and the motion was approved.

Upon a motion by Vice Chair Poche and a second by Commissioner Laumer, the Commission voted seven (7) for and none (0) opposed to approve the item. The motion carried 7-0.

- B. Conduct a public hearing to consider and act upon a request to rezone approximately 2 acres to Commercial, Office, & Retail District (C) zoning; generally located along Oklahoma Drive and approximately 1,000 feet south of Ash Street, within City Limits. (TDW Holdings (710 S Oklahoma - Rezoning)

Victoria Kiker Simpson, Principal Planner, presented the staff report.

Chair Bain opened the public hearing at 5:32 p.m.

No one came forward to speak, and the public hearing was closed at 5:32 p.m.

The Commission discussed the item.

Commissioner Upchurch motioned to approve the item as proposed.

Commissioner Laumer seconded the motion.

All were in favor, and the motion was approved.

Upon a motion by Commissioner Upchurch and a second by Commissioner Laumer, the Commission voted seven (7) for and none (0) opposed to approve the item. The motion carried 7-0.

- C. Conduct a public hearing to consider and act upon a request to zone approximately 54 acres to a Planned Development (PD) with a base zoning of Single-Family Residential, Detached District (SF-R) zoning, and modified development standards; generally located along CR 132 (future Custer Road) and approximately 760 feet north of future Stallcup Boulevard, within the Extraterritorial Jurisdiction (ETJ). (Serenade East - Zoning)

Haley Yansky, Senior Planner, presented the staff report.

Chair Bain opened the public hearing at 5:37 p.m.

Philip Jones, 2757 Solasta Ct, Celina, Texas 75009, shared a printed presentation with the commissioners and stated his opposition.

Mr. Jones stated that the proposal does not align with the surrounding neighborhoods or the City's Long Range Comprehensive Plan.

Kathy Corcoran, 3066 Kessler Dr., Celina, Texas, 75009, spoke with concerns regarding high density, impacts on nearby homeowners, and strain on Celina ISD, requesting the item be tabled indefinitely until infrastructure is adequate.

Sherrie Thoman, 2711 Solasta Ct., Celina, Texas, 75009, spoke with concerns regarding loss of one-acre lot character, limited green space, inconsistent architecture, effects on property values and roads, and lack of notice; she requested the item be tabled indefinitely.

Mary Emadi, 1801 Hammerly Dr., Celina, Texas, 75009, spoke with concerns regarding the expanded right-of-way (ROW) affecting her property, uncertainty about ROW acquisition, and poor interactions with the developer; she requested the item be tabled or denied.

Leslie Erlichman, 2733 Solasta Ct., Celina, Texas, 75009, spoke with concerns regarding deteriorating roads, congestion near the Grayson County line, and insufficient green space, urging a site visit and phased development if the project were to move forward.

The following were also in opposition but did not come forward to speak:

Jeff & Maureen Dresner, 3020 Kessler Dr, Celina, Texas 75009.

Andre & Debra Smith, 3000 Palomar Rd, Celina, Texas 75009.

Kevin & Debra O'Brien, 3050 Kessler Dr., Celina, Texas 75009.

Roland Erlichman, 2733 Solasta Ct., Celina, Texas 75009.

Jennifer & Ryan Elder, 2705 Solasta Ct., Celina, Texas 75009.

Jeff Miller, 5518 Coorie Dr., Celina, Texas 75009.

Brandt Biggerstaff, 2893 Kessler Dr, Celina, Texas 75009.

Chris & Wendy Caldwell, 5519 Gaelic Dr., Celina, Texas 75009.

Monica Katneni, 5516 Gaelic Dr., Celina, Texas 75009.

Rakesh Samineni, 5516 Gaelic Dr., Celina, Texas 75009.

Syam Krishna, 2715 Solasta Ct., Celina, Texas 75009.

Sushritha T, 2705 Solasta Ct., Celina, Texas 75009.

Gaurov Naraqanaswamy, 5504 Coorie Dr., Celina, Texas 75009.

No one else came forward to speak, and the public hearing was closed at 5:58 p.m.

The Commission discussed the item, and asked questions such as clarification of the right-of-way increase, applicability of the relevant House Bill, future connections of Stallcup and Marilee, project timeline, roadway improvements, water/sewer capacity, fire station proximity, and county road responsibilities. Staff and the applicant responded with information regarding ETJ development rights, the purpose of the DA, planned roadway extensions and upgrades, long-term connectivity, utility improvements, and the projected home types and pricing.

Commissioner Dawson motioned to approve the item as proposed.

Commissioner Laumer seconded the motion.

All were in favor, and the motion was approved.

Upon a motion by Commissioner Dawson and a second by Commissioner Laumer, the Commission voted seven (7) for and none (0) opposed to approve the item. The motion carried 7-0.

- D. Conduct a public hearing to consider and act upon a request to rezone approximately 13 acres of Planned Development (PD) No. 84 with Dallas North Tollway Overlay District (DNTO) base zoning, and modified development standards; generally located at the northeast corner of Dallas North Tollway and Punk Carter Parkway, within City Limits. (City Limits Honda - PD Amendment)

Mrs. Kiker Simpson, Principal Planner, presented the staff report.

Chair Bain opened the public hearing at 6:24 p.m.

Applicant Laura Ryan, 16119 Big Sandy Creek Dr., Cypress, Texas 77437, presented the request.

Applicant, Julie Herrera, 301 Flint Ridge Trail, Georgetown, Texas 78628, also presented the request.

Collin College partner, Brendan Mesch, 15841 Christopher Lane, Frisco, Tx 75035, spoke with comments regarding opportunities the project could provide for local students and stated that Collin College supports the proposal.

Real estate representative for Honda, Evelyn Ward, 2215 Eaglerock Dr., Houston, Texas 77080, spoke with comments regarding market demand, site constraints within the High-Rise Overlay, and the desire to bring a high-quality project to the community, noting that other potential uses would be less suitable or create greater impacts.

Realtor Matthew Kiran, 12400 Preston Rd Suite 100, Frisco, Texas, 75033, spoke with comments regarding the site’s geographical constraints and stated the proposed use is appropriate and could help bring higher-paying jobs to Celina.

Resident Oscar Mary, 2609 Hancock Ln, Celina, Tx 75009, explained he lives in the subdivision adjacent to this property and is in opposition of the proposed development.

No one came forward to speak, and the public hearing was closed at 5:29 pm.

The commissioners discussed the item and asked questions such as whether the site would function as a right-in/right-out due to the lack of a median opening, how the request does not align with the High-Rise Overlay standards, whether approving a dealership at this location would conflict with previous City Council feedback, the appropriateness of the use given the City’s long-range plans, and potential sales tax impacts compared to other retail uses. The applicant addressed these questions.

Commissioner Upchurch motioned to deny the item as proposed.

Vice Chair Poché seconded the motion.

All were in favor, and the motion was denied.

Upon a motion by Commissioner Upchurch and a second by Vice Chair Poché, the Commission voted unanimously seven (7) opposed and none (0) for to deny the item. The motion carried 7-0 to deny.

VII. ADJOURNMENT:

Chair Bain adjourned the meeting at 7:08 pm.

Chair

Staff Liaison

Date



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Planning
City of Celina, Texas

Memorandum

To: **Honorable Mayor Tubbs and the Celina City Council**
From: Madhuri Mohan, Assistant Director of Development Services
CC: Dusty McAfee, Director of Development Services
Date: December 18, 2025

Agenda Item:

Conduct a public hearing to consider and act upon a request for a Specific Use Permit (SUP) to allow for an Auto, Gas Pumps/Fuel use on approximately 2 acres; generally located at the northeast corner of Coit Road and Frontier Parkway, within the City Limits. (7 Eleven – Specific Use Permit)

Background Information:

The subject property is approximately 2 acres, located within the City Limits and is currently zoned Commercial district. The applicant desires to operate a gas station. The Zoning Ordinance requires an Auto, Gas Pumps/Fuels Sales, to first obtain a Specific Use Permit (SUP) from the City Council to legally operate in the base Commercial zoning district and Preston Road Overlay (PRO). An SUP is required for land uses that the Zoning Ordinance may allow, but uses that are also screened and specially approved for situational suitability. The purpose of the SUP requirement is to determine the appropriateness of a proposal. The City has broad discretionary approval of the requested SUP. Please refer to the attachments for additional information.

Legal Review:

N/A

Supporting Documents:

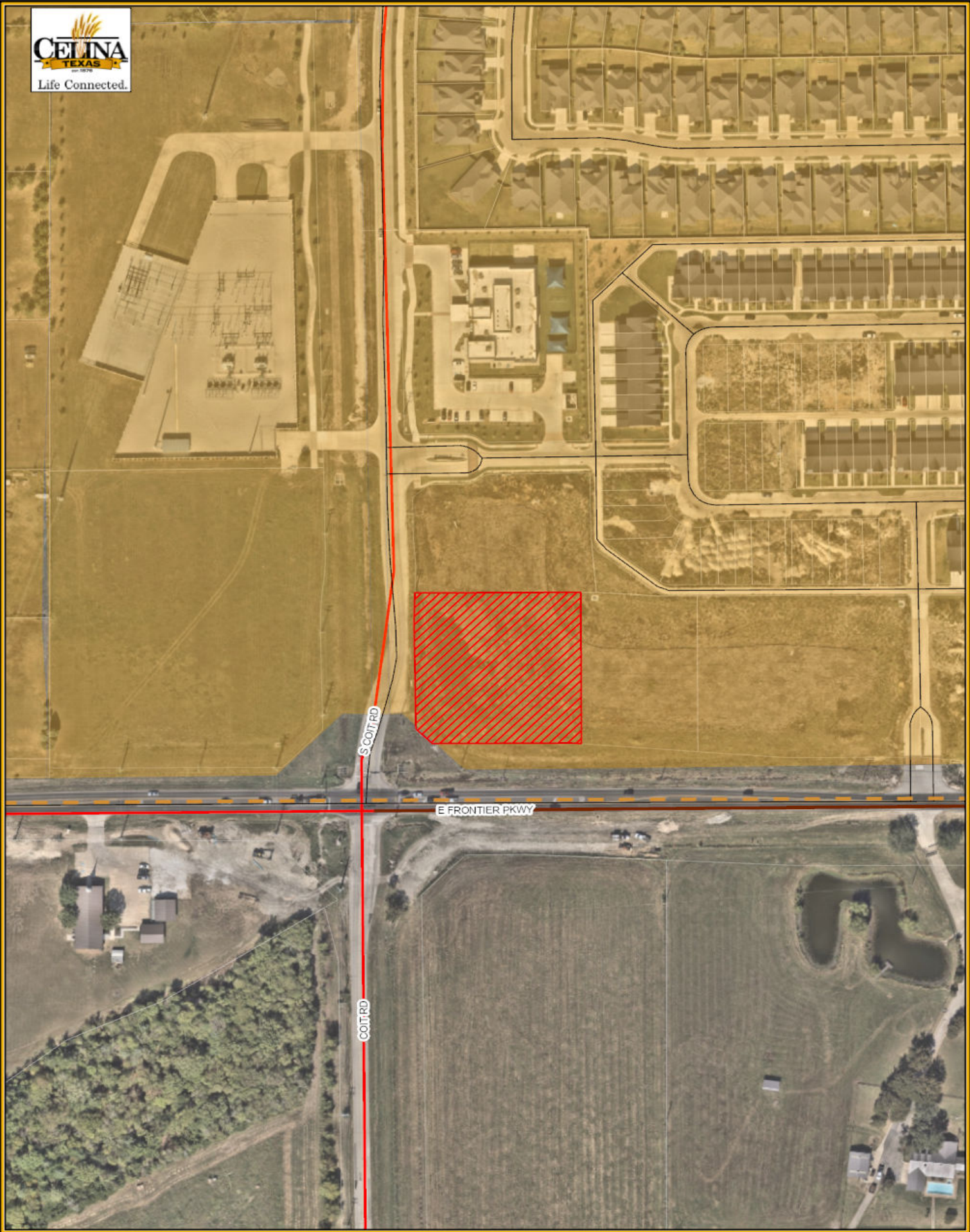
1. Location Map
2. Staff Presentation

Financial Consideration:

N/A

Staff Recommendation:

Staff recommends approval as presented.

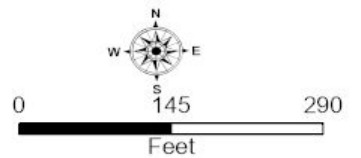


Legend

- Subject Property
- City Limits
- Roads
- Parcels

**25-SUP-02 7-Eleven
Location Map
City of Celina**

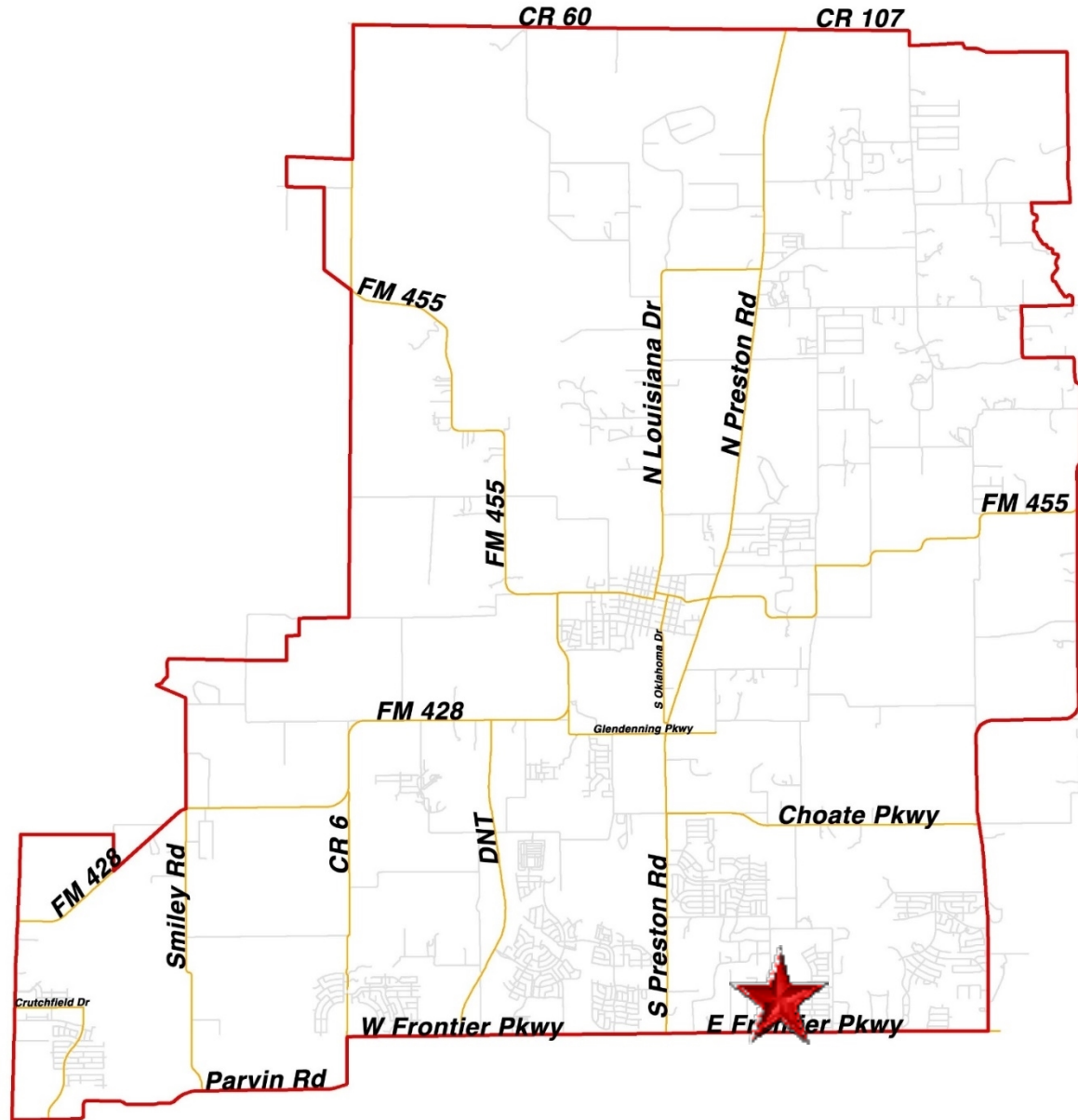
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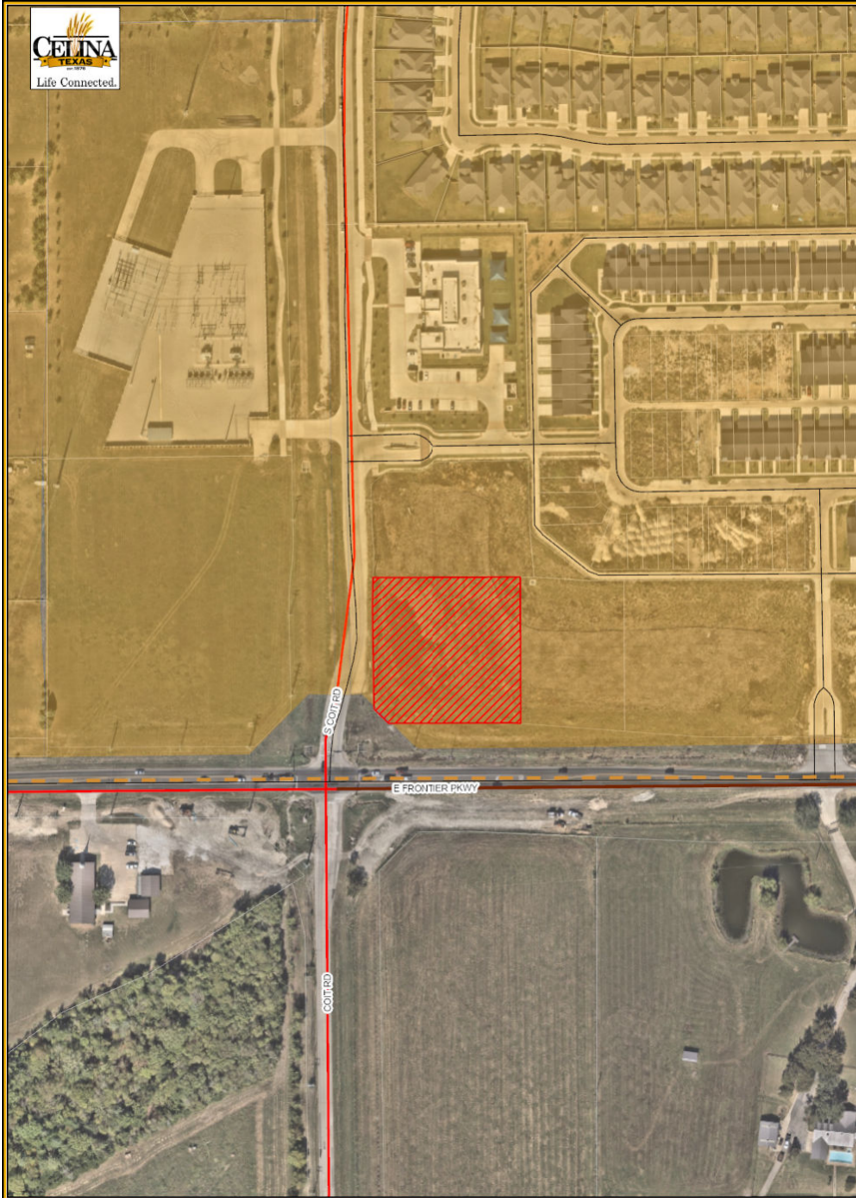


7 ELEVEN (FRONTIER & COIT) SPECIFIC USE PERMIT

Planning & Zoning Commission
December 18, 2025







LOCATION MAP

The subject property is generally located at the northeast corner of Coit Road and Frontier Parkway

BACKGROUND

- The subject property is approximately 2 acres, located within the City Limits
- The property is currently zoned Commercial district
- The applicant desires to operate a gas station

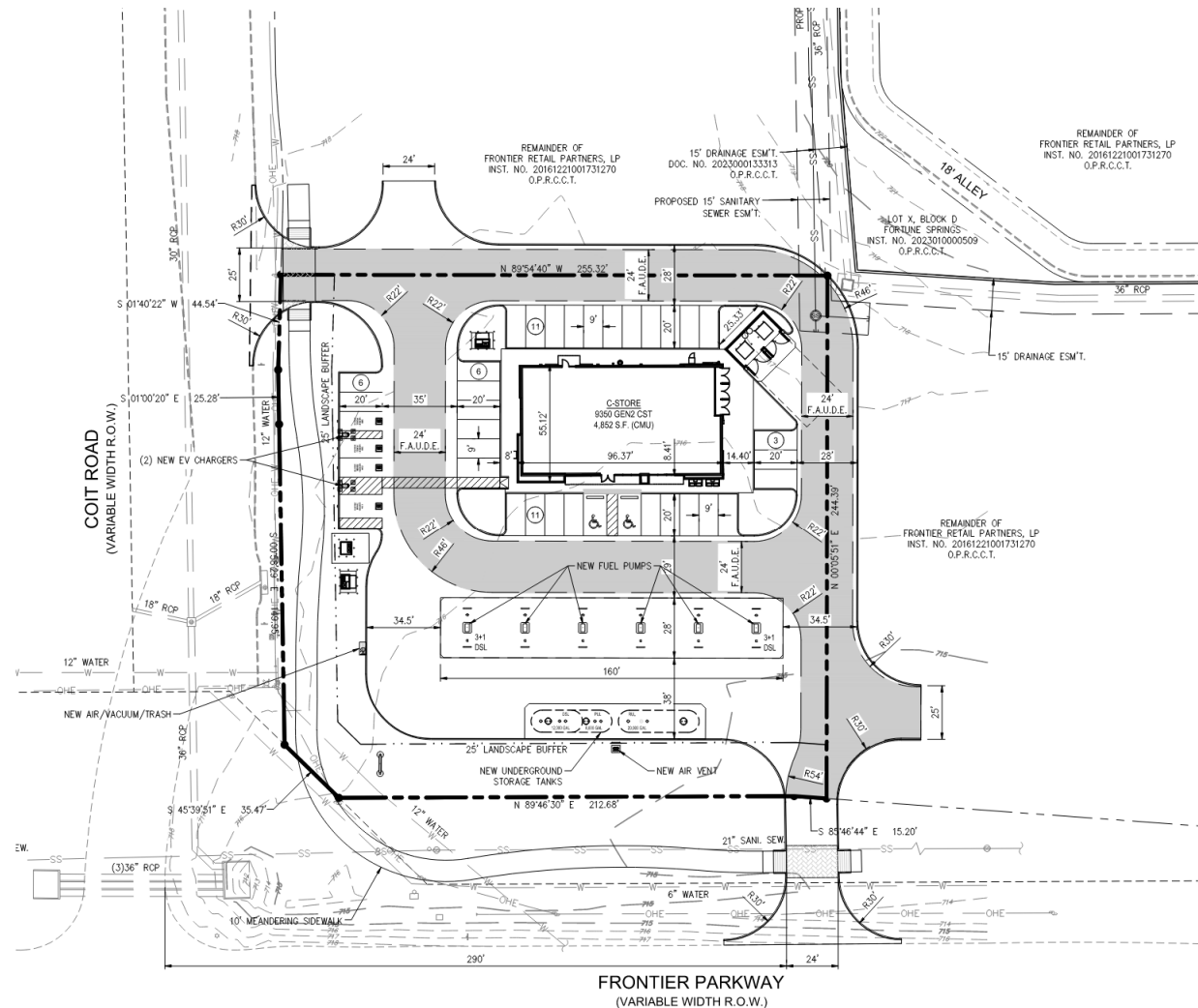
ZONING OVERVIEW

- The Zoning Ordinance requires an Auto, Gas Pumps/Fuels Sales, to first obtain a Specific Use Permit (SUP) from the City Council to legally operate in the base Commercial zoning district and Preston Road Overlay (PRO)

SUP OVERVIEW

- An SUP is required of land uses that the Zoning Ordinance may allow, but uses that are also screened and specially approved for situational suitability
- The purpose of the SUP requirement is to determine the appropriateness of a proposal
- The City has broad discretionary approval of the requested SUP

CONCEPT PLAN



POLICY CONSIDERATIONS

- The subject property's base zoning is Commercial
- The zoning request is in conformance with the Future Land Use Plan (FLUP)
- The proposed SUP helps diversify the tax base
- Modern design standards ensure an attractive project

POLICY CONSIDERATIONS

- The intersection of two future 6-lane arterials is a common location for the proposed use
- The market demand for additional gas stations is high
- The Master Thoroughfare Plan accommodates the proposed land use

RECOMMENDATION

- The recommendation of the Planning & Zoning Commission will be considered by the City Council at its regular meeting in January
- Staff recommends approval as presented



Life Connected.

Planning
City of Celina, Texas

Memorandum

To: Planning and Zoning Commission
From: Madhuri Mohan, Assistant Director of Development Services
CC: Dusty McAfee, Director of Development Services
Date: December 18, 2025
Re: Conduct a public hearing to consider and act upon a request to amend the City's Code of Ordinances, by amending Chapter 14: Zoning, Article 14.03: Use Regulations, Part Two: Accessory Structures, and related sections of the Zoning Ordinance. (Text Amendment)

Action Requested:

Conduct a public hearing to consider and act upon a request to amend the City's Code of Ordinances, by amending Chapter 14: Zoning, Article 14.03: Use Regulations, Part Two: Accessory Structures, and related sections of the Zoning Ordinance. (Text Amendment)

Background Information:

The maintenance of existing ordinances is considered routine in order to maintain a healthy and functional regulatory framework. Accessory structure standards were adopted with the 2019 rewrite of the Zoning Ordinance. The Zoning Ordinance is intended to establish minimum standards for accessory structures to enhance property values and quality of life. The updates are based on years of feedback from contractors asking for less confusing regulations.

Legal Review:

N/A

Supporting Documents:

1. Staff Presentation
2. Draft Accessory Standards
3. Draft Accessory Standards - Redline

Financial Consideration:

N/A

Staff Recommendation:

Staff recommends approval as presented.

ACCESSORY STRUCTURES

ORDINANCE UPDATE

Planning & Zoning Commission
December 18, 2025



BACKGROUND

- Maintenance of existing ordinances is considered routine in order to maintain a healthy and functional regulatory framework
- Accessory structure standards were adopted with the 2019 rewrite of the Zoning Ordinance
- Intended to establish minimum standards for accessory structures to enhance property values and quality of life
- Updates based on years of feedback from contractors asking for less confusing regulations

TIMELINE

- ~~October P&Z – discussion~~
- ~~November Council – discussion~~
- December P&Z – public hearing
- January Council – public hearing & adoption

BASICS OF ACCESSORY STRUCTURE STANDARDS

- Structures must meet setback and dimensional requirements
- Structures must be incidental to the primary use
- Permit required for any structure over 120 square feet
- Focused on residential uses, not commercial
- Mostly impacts Estate residential and Downtown lots, as HOAs generally regulate accessory structures through CC&Rs

PROPOSED REVISIONS

- The redline of proposed changes is in the packet
- Clarified internal policy where possible to improve customer service and understanding
- Eliminated platitude-type language that did not add value or could not be enforced
- Eliminated redundant and contradictory language for setbacks, height, and architectural standards
- Simplified and consolidated standards

PROPOSED REVISIONS

General Development Standards for Accessory Buildings.

ARTICLE III, TABLE 3 Standards for Accessory Buildings MAXIMUM NUMBER, TYPE, AND SQUARE FOOTAGE PER LOT SIZE in RESIDENTIAL DISTRICTS			
	Less than one acre	One acre or greater, but less than 1-3 acres	Three acres or greater than 3 acres
Max number of accessory structures	2 3	35, plus barn	No limit
Max square footage of all accessory structures	600 or 25% of house square footage, whichever is greater	84,000 84,000	2540,000 2540,000
Max height of accessory structures, measured at eave of structure (other than barns)	10 feet 10 feet	16 feet 16 feet	20 feet 20 feet
Barns allowed (includes other agricultural structures)	No No	Yes Yes	Yes Yes
Max square footage of barns	N/A N/A	4,000 4,000	10,000 10,000
Max height of barns (at ridge line)	N/A N/A	35 feet 35 feet	35 feet 35 feet

PROPOSED REVISIONS

- Height to follow base zoning
- Barns & other specific structure types consolidated within the universal accessory structure guidelines
- Architectural standards simplified and revised to meet state law
- Setbacks simplified for structures attached to the primary building, detached, and detached exceeding 250 SqFt

P&Z DISCUSSION

- The Commission did not have any concerns with the proposed revisions, and expressed that they were glad the ordinance was receiving an update

COUNCIL DISCUSSION

- Council did not have any concerns with the proposed revisions

RECOMMENDATION

- The recommendation of the Planning & Zoning Commission will be considered by the City Council at its regular meeting in January
- Staff recommends approval, as presented

Section 14.01.115 Zoning Ordinance Definitions

Accessory Structure. Any structure, either attached or detached from the main building, the use of which is incidental to that of the main structure and located on the same lot. Accessory structures include, but are not limited to, patio covers, arbors, gazebos, cabanas, outdoor kitchens, recreational fire enclosures, trellis, ground mounted solar panels/devices, and structures/sheds or the like. A permit is required for accessory structures. (See Section 14.03.201 *Accessory Uses, General Information & Regulations* and Section 14.03.202 *Accessory Uses, Specific Accessory Structures*, respectively, for regulations)

Section 14.01.306 Site Plan Approval.

- (a) ***Applicability.*** Site plan review is required for non-residential development, multi-family development having four (4) or more dwelling units, mobile home parks, parking lot development (reconstruction and reconfiguration), and as otherwise required by the Director. Site plan approval is required prior to issuance of a building permit in order to ensure compliance with all provisions of the Zoning Ordinance, the Comprehensive Plan, the Thoroughfare Plan, and other applicable ordinances of the City of Celina.

Section 14.02.405 AG, Agricultural Zoning District.

- (a) ***Height & Area Regulations.*** The height of buildings, the minimum dimensions of lots and yards, and the minimum lot area permitted on any lot in Agricultural district shall be as follows:
 - (1) ***Setback for agricultural buildings.*** Agricultural accessory structures that contain livestock shall be set back from any single-family district a minimum of 100 feet.
- (b) ***Other Applicable Regulations.***
 - (1) ***Agricultural fencing.*** If livestock (animals typically kept in pastures and/or stables and not in the home), then the restriction for fencing within the front yard setback shall not apply. Barbed wire is allowed on undeveloped land and for containment of livestock, but shall be removed at time of development. (see Article 14.04, Part Three, *Screening Walls & Fencing*).

ARTICLE III – USE REGULATIONS
PART TWO, ACCESSORY STRUCTURES

Section 14.03.201 General Information and Regulations for Accessory Structures.

- (a) **Definition.** An accessory building is defined as any structure, either attached or detached from the main dwelling or commercial building, the use of which is incidental to that of the main structure and located on the same lot. Accessory structures include, but are not limited to, detached garages and carports, patio covers, arbors, gazebos, cabanas, outdoor kitchens, recreational fire-pits, sheds, ground mounted solar panels/devices, and other enclosures. Agricultural accessory buildings include barns, stables, coops, or any enclosure designed to accommodate farming or ranching supplies, livestock, or fowl. Fences are not included in this definition of “accessory structure.”
- (b) **Permit Required.** An accessory structure that is less than or equal to 120 square feet (approximately 10’ X 12’) in size shall not be required to obtain a building permit, but shall meet all height and setback requirements of this article. An accessory structure that is greater than 120 square feet in size OR any size structure that is attached to the main building shall be required to have a building permit, be inspected by the City, and meet the requirements of this article. Any installation that involves trade related construction (M.E.P.) requires a building permit.
- (c) **General Provisions.**
 - (1) **Attached structures.** Any enclosed structure that is attached to the principal building shall be considered an addition and shall comply with all the requirements for the principal structure, unless otherwise provided herein.
 - (2) **Detached structures.** Detached structures shall comply with the requirements set out in this article and may not be located in the front yard or between the primary structure and any street.
 - (3) **Residential Fences.** The smooth side of residential wooden fences must face outward with the posts on the inside.
 - (4) **Easements.** Accessory buildings shall not be located within or over an easement or right-of-way, unless approved in writing by the holder of the easement.
 - (5) **Not allowed in front yard.** Accessory structures shall not be located in the front yard area. This excludes temporary uses such as basketball hoops, bike, or skateboard ramps, or other moveable recreational devices. However, any such device shall be located entirely within the boundaries of the private property and shall not be placed in the right-of-way, the street, the sidewalk, or the parkway (defined as the grassy area between the sidewalk and the curb).
 - (6) **Utility lines.** All associated service and utility lines shall be buried.
 - (7) **Commercial Operations.** Accessory structures shall abide by the land uses allowed in the base zoning district. Commercial uses are not allowed in accessory structures and must occupy permanent structures.
 - (8) **Approval.** Building permits are approved by Building Services.
- (d) **General Development Standards for Accessory Buildings.**

ARTICLE III, TABLE 3			
Standards for Accessory Buildings			
MAXIMUM NUMBER, TYPE, AND SQUARE FOOTAGE PER LOT SIZE in RESIDENTIAL DISTRICTS			
	Less than one acre	1-3 acres	Greater than 3 acres
Max number of accessory structures	3	5	No limit
Max square footage of all accessory structures	600 or 25% of house square footage, whichever is greater	8,000	25,000

- (e) **Architectural Standards for Accessory Buildings.**
 - (1) Permanent and/or engineered foundations may be required per the adopted International Code.

- (2) Accessory structures less than 600 square feet shall be constructed of any material allowed and regulated in the International Building Code adopted by the City, and as amended.
- (3) Accessory structures that are 600 square feet or greater shall generally match the exteriors of the main structure in terms of building materials, percentages of materials, and color.
- (4) Detached garages 250 square feet or greater shall generally match the exteriors of the main structure in terms of building materials, percentages of materials, and color.
- (5) All accessory structures shall be muted shades of color that are subtle, neutral, or earthen tones.
- (6) Greenhouses may be constructed of glass, opaque plastic, and other all-weather material as listed in the adopted International Building Code;
- (7) Residential lots platted prior to 2018 are exempt from architectural standards applying to accessory structures, as are green houses, barns, and other valid agricultural use.

(f) **Setback & Siting Regulations for Accessory Structures.**

- (1) No accessory structures shall be located in front yards and may not be located between the primary structure and the street.
- (2) Accessory structures that are attached to the primary building shall observe the following setbacks:
 - a. Side yard setbacks shall abide by the setback of the governing zoning district.
 - b. Rear yard setback shall be five (5) feet
- (3) Detached accessory structures in residential zoning districts shall observe the following setbacks:
 - i. Typical setback shall be three (3) feet from all property lines.
 - ii. Side yard at corner setback shall be fifteen (15) feet from the property line.
 - iii. When a structure exceeds 250 square feet, a five (5) foot setback from all property lines applies.

Section 14.03.202 Regulations for Specific Accessory Structures.

These regulations supersede any general regulations listed in Section 14.03.201. However, if a standard is not specifically mentioned in the regulations, below, then the regulations stated in Section 14.03.201 apply. Building permits for the accessory structures listed below are approved by the Building Official.

(a) **Accessory Dwelling Unit (ADU) Regulations.**

- (1) An ADU is defined as a subordinate building/structure intended for habitation. ADUs shall not be permitted without a main building or primary use in existence and are subject to zoning district regulations.
- (2) ADUs are prohibited in all zoning districts other than the AG, Agricultural zoning district, SF-E, Single-Family Estate zoning district, or Downtown Code zoning district.
- (3) An ADU may not be sold separately from sale of the entire property, including the primary residential structure;
- (4) Utility services shall be metered by the same meter as that which serves the main structure on the premises;
- (5) ADUs shall abide by the same setback and height as accessory structures.
- (6) ADUs shall abide by Section 14.04.107, Design Standards for Residential Structures.
- (7) The total conditioned square footage of an ADU shall not exceed the square footage of the primary dwelling. An ADU may be attached to or separate from the main dwelling;
- (8) Only one ADU shall be allowed on any lot, and the ADU shall be clearly incidental to the primary residential structure.
- (8) The exterior facades of an ADU shall be consistent with the exteriors of the main structure in terms of building materials, percentages of materials, and color.

(b) **Commercial Accessory Structure Regulations.**

- (1) All structures located in non-residential, commercial, office, retail, industrial, and multi-family zoning districts, and structures associated with such land uses, are considered permanent, commercial buildings and shall obtain all necessary permits and inspections and abide by all applicable codes and masonry regulations.
- (2) Modular storage units, portable on demand storage containers, donation bins, kiosks or stands, cargo containers, and drop-off bins/trailers are considered accessory structures, if permanent. Temporary

structures shall be visually mitigated by being placed outside of setbacks, generally behind the primary structure, outside of required parking and fire lanes, and only in association with seasonal needs or grand openings. The overall number of containers shall be limited to two (2) per lot, unless the scope of the commercial activity requires additional containers to be considered by staff.

- (3) Accessory structures with pervious roofs, such as decorative pergolas or arbors, may be constructed with fire-treated and rot-resistant wooden or comparable material.
- (4) Structures attempting to satisfy shade structure requirements shall utilize a solid, standing seam metal roof.
- (5) Columns shall be encased in masonry that matches the primary building.

(c) **Patios & Flatwork Regulations (Concrete or Pavers).**

- (1) All patios, grading, and other residential flatwork require a building permit. Depending upon the scope of the work, a drainage plan may also be required.
- (2) All new parking, drives, and approaches shall be constructed with concrete to the City's engineering design criteria;
- (3) Any foundation or slab greater than 200 square feet shall be drawn to City standards and may require an engineer's seal;
- (4) Flatwork shall be set back a minimum of three (3) feet from any property line. Flatwork for AC units, trashcans, walkways, pool equipment, or similar installations may be reduced to two (2) feet from the side property line
- (5) Flatwork is not allowed in the front yard area, unless the flatwork is for a driveway for a front-loading garage or a lead walk serving the house. This shall not be interpreted to allow for enlarged driveways, whose width should match the width of the enclosed garage and not be expanded into the side yard setback. J-swing garages shall also be accommodated;
- (6) Nothing within this section allows the creation of a drainage hazard or issue, and all flatwork shall be sloped or graded to drain according to original civil design; and
- (7) Paving is limited to twenty percent (20%) of total lot coverage, including the driveway but not including any patio, walkway, pool deck, sports courts or other paved feature.

(d) **Swimming Pools, Spas, & Hot Tub Regulations.**

- (1) Shall not be located in the front yard area;
- (2) Any in-ground installation shall be a minimum five (5) feet from any property line, retaining wall, and buildings. Anything closer than five (5) feet will require an engineered plan or meet the requirements of the International Pool and Spa Code as adopted with amendments.
- (3) Associated decking or flatwork shall be a minimum three (3) feet from any property line.

(e) **Temporary Building Regulations.**

- (1) Churches, cities, and public schools, regardless of the zoning district, may have a maximum of five (5) portable or modular buildings at any given time that are secondary to the primary facilities.
- (2) Portable or modular buildings utilized by churches, cities, and public schools are exempt from the Architectural Standards listed in this Article.
- (3) The siting of temporary buildings shall be selected to minimize visibility from the public right-of-way.
- (4) Skirting for the temporary building is required, as is concrete pedestrian access, in addition to any required ramps.
- (5) A stabilizing foundation in compliance with the approved building code shall be provided or appropriate tie-down systems, as approved by the Fire Department.
- (6) All buildings shall be perpetually maintained and repaired in a safe, reasonably attractive condition by the property owner in a manner that protects against the elements, is structurally safe, and corrects any visual ills or other problems.

Section 14.03.501 The following temporary land uses require specific conditions to be met prior to the issuance of a building permit. These land uses are listed as C, Conditions Required, in the Schedule of Uses, since they shall meet the specific regulations listed below for each use prior to being issued a building permit.

(b) Construction Yard or Field Office Regulations, Temporary.

- (1) A “field office” is defined as a temporary building or structure used in connection with a development or construction project.
- (2) A “construction yard” is associated with a field office and contains equipment and/or vehicles necessary for construction.
- (3) A “sales office” is defined as a temporary building or structure that is open to the public and must provide ADA access and paved parking.
- (4) Electrical connections shall be supplied by overhead or underground access – no open wiring lying directly on the ground shall be allowed.
- (5) The Director shall determine whether or not the proposed location is appropriate and setbacks have been observed.
- (6) The Director shall determine whether the requested timeframe is appropriate.
 - i. Temporary permits for "temporary buildings" shall be issued for a period of time not to exceed 18 months.
 - ii. Extensions may be granted only by the Director.

Section 14.01.115 Zoning Ordinance Definitions

Accessory Structure. Any structure, either attached or detached from the main building, the use of which is incidental to that of the main structure and located on the same lot. Accessory structures include, but are not limited to, patio covers, arbors, gazebos, cabanas, outdoor kitchens, recreational fire enclosures, trellis, ground mounted solar panels/devices, and structures/sheds or the like. A permit is required for ~~many~~ accessory structures. (See Section 14.03.201 *Accessory Uses, General Information & Regulations* and Section 14.03.202 *Accessory Uses, Specific Accessory Structures*, respectively, for regulations)

~~*Accessory Structure, Agricultural Use.* A structure located on an active farm, ranch, or orchard in which livestock, feed, equipment, vehicles, or accessories necessary for the running of the business are kept, including but not limited to, barns, silos, sheds, and exercise pavilions.~~

~~*Barn.* A structure intended for storage of products, equipment, and supplies related to the production of livestock and farming. (See Section 14.03.202(b), *Barns & Farm Accessory Structure Regulations*)~~

Section 14.01.306 Site Plan Approval.

- (a) ***Applicability.*** Site plan review is required for non-residential development, multi-family development having four (4) or more dwelling units, mobile home parks, parking lot development (reconstruction and reconfiguration), ~~non-public agricultural buildings, and residential accessory structures~~, and as otherwise required by the Director. Site plan approval is required prior to issuance of a building permit in order to ensure compliance with all provisions of the Zoning Ordinance, the Comprehensive Plan, the Thoroughfare Plan, and other applicable ordinances of the City of Celina.

Section 14.02.405 AG, Agricultural Zoning District.

- (a) ***Height & Area Regulations.*** The height of buildings, the minimum dimensions of lots and yards, and the minimum lot area permitted on any lot in Agricultural district shall be as follows:
- (1) ***Setback for agricultural buildings.*** Agricultural accessory structures that contain livestock shall be set back from any single-family district a minimum of 100 feet.
- (b) ***Other Applicable Regulations.***
- (1) ***Agricultural fencing.*** If livestock (animals typically kept in pastures and/or stables and not in the home), then the restriction for fencing within the front yard setback shall not apply. Barbed wire is allowed on undeveloped land and Fences suitable for containment of livestock, but shall be removed at time of development. ~~(but not barbed wire or razor wire) shall be allowed along the property boundary~~ (see Article 14.04, Part Three, *Screening Walls & Fencing*). ~~Notwithstanding the above, barbed wire fencing may be allowed on undeveloped tracts of land over three (3) acres in size to contain livestock.~~

ARTICLE III – USE REGULATIONS
PART TWO, ACCESSORY STRUCTURES

Section 14.03.201 General Information and Regulations for Accessory Structures.

- (a) **Definition.** An accessory building is defined as any structure, either attached or detached from the main dwelling or commercial building, the use of which is incidental to that of the main structure and located on the same lot. Accessory structures include, but are not limited to, detached garages and carports, patio covers, arbors, gazebos, cabanas, outdoor kitchens, recreational fire-pits, sheds, ground mounted solar panels/devices, and other enclosures. Agricultural accessory buildings include barns, stables, coops, or any enclosure designed to accommodate farming or ranching supplies, livestock, or fowl. Fences are not included in this definition of “accessory structure.”
- (b) **Permit Required.** An accessory structure that is less than or equal to 120 square feet (approximately 10’ X 12’) in size shall not be required to obtain a building permit, but shall meet all height and setback requirements of this article. An accessory structure that is greater than 120 square feet in size OR any size structure that is attached to the main building shall be required to have a building permit, be inspected by the City, and meet the requirements of this article. Any installation that involves trade related construction (M.E.P.) requires a building permit.
- ~~(c) **Allowed Accessory Buildings.** Allowed accessory uses are listed in the requirements for each zoning district provided for by this Chapter. However, in general, no commercial uses are allowed in an accessory building. In addition, an accessory structure may only be used for dwelling purposes in the AG, Agricultural, SF-E, Single Family Estate, or OT, Downtown zoning districts and in no case may be rented to a person other than a family member or permanent member of the household staff.~~
- ~~(d) **General Provisions.**~~
- ~~(1) **Attached structures.** Any enclosed structure that is attached to the principal building shall be considered a part thereof an addition and shall comply with all the requirements for the principal structure, unless otherwise provided herein. Unenclosed structures, such as patio covers and gazebos, may encroach into the rear and side yard setback so long as a five (5) foot setback is maintained from all property lines.~~
- ~~(1)~~
- (2) **Detached structures.** Detached structures shall comply with the requirements set out in this article and may not be located in the front yard or between the primary structure and any street.
- (3) **Residential Fences.** The smooth side of residential wooden fences must face outward with the posts on the inside.
- (4) **Easements.** Accessory buildings shall not be located within or over an easement or right-of-way, unless approved in writing by the holder of the easement.
- ~~(5) **Prohibited storage.** Containerized storage, cargo storage, and/or trailer storage shall not be permitted. Notwithstanding the above, temporary storage pods may be placed within a private driveway (but not blocking any portion of the right of way or sidewalk) for a period not to exceed seven (7) days for the purposes of loading or unloading furnishings or other goods.~~
- ~~(6)~~(5) **Not allowed in front yard.** Accessory structures shall not be located in the front yard area. This excludes temporary uses such as basketball hoops, bike, or skateboard ramps, or other moveable recreational devices. However, any such device shall be located entirely within the boundaries of the private property and shall not be placed in the right-of-way, the street, the sidewalk, or the parkway (defined as the grassy area between the sidewalk and the curb).
- ~~(6)~~ **Utility lines.** All associated service and utility lines shall be buried.
- (7) **Commercial Operations.** Accessory structures shall abide by the land uses allowed in the base zoning district. Commercial uses are not allowed in accessory structures and must occupy permanent structures.
- (8) **Approval.** Building permits are approved by ~~the Building Official~~Building Services, ~~following review and approval of the site plan by the Director of Development Services, as applicable.~~

(ed) **General Development Standards for Accessory Buildings.**

ARTICLE III, TABLE 3 Standards for Accessory Buildings MAXIMUM NUMBER, TYPE, AND SQUARE FOOTAGE PER LOT SIZE in RESIDENTIAL DISTRICTS			
	Less than one acre	One acre or greater, but less than 1-3 acres	Three acres or greater than 3 acres
Max number of accessory structures	23	35-plus barn	No limit
Max square footage of all accessory structures	600 or 25% of house square footage, whichever is greater	84,000	2540,000
Max height of accessory structures, measured at eave of structure (other than barns)	10 feet	16 feet	20 feet
Barns allowed (includes other agricultural structures)	No	Yes	Yes
Max square footage of barns	N/A	4,000	10,000
Max height of barns (at ridge line)	N/A	35 feet	35 feet

(fe) **Architectural Standards for Accessory Buildings.** ~~(barn structures and greenhouses excluded — see Section 14.03.202 (b) and (f), for specific regulations related to barns and greenhouses, respectively).~~

- ~~(1) — Permits are required for all accessory structures that are greater than 120 square feet.~~
- (1) Permanent and/or engineered foundations may be required per the adopted International Code.
- ~~(2) — Accessory structures less than or equal to 120 square feet are not subject to architectural standards for exterior materials, but shall be properly anchored to the ground per the International Residential Code (IRC).~~
- ~~(3)(2) Accessory structures that are between 121 and 200-600 square feet shall be constructed of wood, treated engineered wood, metal, cementitious fiberboard, brick, stone, or stucco. Materials from the approved list may be combined.~~ any material allowed and regulated in the International Building Code adopted by the City, and as amended.
- ~~(4) — Accessory structures that are between 201 and 600 square feet shall be constructed of treated engineered wood, cementitious fiber board, brick, stone, or stucco that blend and compliment the main structure. In addition, accessory structures between 201 and 600 square feet shall incorporate a brick or stone wainscot (36" in height for structures ≤ 12 feet in height; 48" in height for structures >12 feet in height, measured at the eave) in an exterior material that is generally similar to or blends with the masonry material of the main structure, if applicable. Materials from the approved list may be combined.~~
- ~~(3) — Accessory structures that are greater than 600 square feet or greater shall generally match the exteriors of the main structure in terms of types of building materials, percentages of materials, and color.~~
- ~~(5)(4) Detached garages 250 square feet or greater shall generally match the exteriors of the main structure in terms of building materials, percentages of materials, and color.~~
- ~~(5) — All accessory structures shall be muted shades of color that are subtle, neutral, or earthen tones.~~
- (6) Greenhouses may be constructed of glass, opaque plastic, and other all-weather material as listed in the adopted International Building Code;
- ~~(7) — earth tones in color.~~

~~(8)(7) Metal buildings require raised or standing seams, minimum 26" gauge, corner trim, pre-installed, baked-in finish that cannot be bold colors. Residential lots platted prior to 2018 are exempt from architectural standards applying to accessory structures, as are green houses, barns, and other valid agricultural use.~~

(gf) Setback & Siting Regulations for *Most* Accessory Structures.

- (1) No accessory structures shall be located in front yards and may not be located between the primary structure and the street.
- ~~(2)~~ Accessory structures that are attached to a residence or non-residential the primary -building shall observe the following setbacks:
 - ~~a.~~ abide by the sSideide and rear- yard setbacks shall abide by the setback of the governing zoning district.
 - ~~a.b.~~ Rear yard setback shall be five (5) feet
- ~~(2)(3)~~ Detached accessory structures in residential zoning districts shall observe the following side-yard setbacks:
 - i. Typical ~~side-yard~~ setback shall be three (3) feet from all property lines.
 - ii. ~~Side yard setback when also facing a streetat corner setback~~ shall be fifteen (15) feet from the property line.
 - ~~ii.iii.~~ When a structure exceeds 250 square feet, a five (5) foot setback from all property lines applies.
- ~~(4)~~ Detached accessory structures in residential zoning districts shall observe the following rear yard setbacks:
 - ~~i.~~ Rear yard setback shall be three (3) feet for structures that are <250 square feet in size, no greater than eight (8) feet at the eave line, and screened from the alley or adjacent property by a solid fence.
 - ~~i.~~ Rear yard setback shall be five (5) feet for structures that are ≥250 square feet in size OR that do not meet the height or fence requirement cited above.
 - ~~ii.~~ setback as the main structure in the governing zoning district.

Section 14.03.202 Regulations for Specific Accessory Structures.

~~(a)~~—These regulations supersede any general regulations listed in Section 14.03.201. However, if a standard is not specifically mentioned in the regulations, below, then the regulations stated in Section 14.03.201 apply. Building permits for the accessory structures listed below are approved by the Building Official, ~~following review of the regulations specified for each type of accessory structure and approval of the site plan by the Director of Development Services, if applicable.~~

(a) Accessory Dwelling Unit (ADU) Regulations.

- (1) An ADU is defined as a subordinate building/structure intended for habitation. ADUs shall not be permitted without a main building or primary use in existence and are subject to zoning district regulations.
- (2) ADUs are prohibited in all zoning districts other than the AG, Agricultural zoning district, SF-E, Single-Family Estate zoning district, or ~~OT~~, Downtown Code zoning district. ~~In these districts, ADUs shall be allowed as an incidental residential use of a primary residential structure, located on the same lot as the primary residential structure, may be occupied only by the residents or guests of the primary residential structure, and shall meet the standards listed herein.~~
- (3) An ADU may not be sold separately from sale of the entire property, including the primary residential structure, ~~and shall not be rented or sublet;~~
- ~~(4)~~ An ADU is not permitted without the primary residential structure;
- ~~(5)(4)~~ Utility services shall be metered by the same meter as that which serves the main structure on the premises, unless otherwise allowed by the Building Official;
- ~~(5)~~ ADUs shall abide by the same setback and, height, and architectural regulations as detached garagesaccessory structures, except that the rear yard setback shall be twenty (20) feet;
- (6) ADUs shall abide by Section 14.04.107, Design Standards for Residential Structures.
- (7) The total conditioned square footage of an ADU ~~is limited to 800 square feet for lots that are less than one-half (½) acre in size. Lots that are one-half (½) acre or greater in area may construct an ADU up to 1,200 square feet if all other regulations are met~~ shall not exceed the square footage of the primary dwelling. An ADU ~~shall be constructed to the rear of the primary residential structure, and may be attached to or separate~~

from the main dwelling ~~(note that ADUs that are attached to the main structure that cause the overall structure to be greater than the threshold set by the Fire Codes may require the entire structure to be sprinklered);~~

~~(8) No ADU or living quarters shall be used or occupied as a place of abode or residence by anyone other than a family member or guest of the owner/occupant of the primary residential structure or a bona fide caretaker, servant or farm worker actually and regularly employed by the landowner or occupant of the main building; and~~

~~(9)~~(8) Only one ADU, including a garage ADU, or servant's/caretaker's quarters, shall be allowed on any lot, and the ADU shall be clearly incidental to the primary residential structure.

(8) The exterior facades of an ADU shall ~~be constructed of a masonry material (brick, stone, stucco) or materials that are generally similar to the materials, percentages, and colors be consistent with the exteriors of the main structure in terms of building materials, percentages of materials, and color.~~ used on the main building or structure.

~~(b) **Barns & Farm Accessory Structure Regulations.**~~

~~(1) Barns are not allowed on lots that are less than one (1) acre in size.~~

~~(1) All farm accessory structures greater than 120 square feet in area require a building permit.~~

~~(2) The site on which a barn is proposed shall be currently classified and in operation as an agricultural enterprise.~~

~~(3) Barns may be constructed of any suitable all-weather material as listed in the adopted International Building Code.~~

~~(4) The height of barns or other farm accessory structures shall not exceed thirty-five (35) feet, measured from the ground to the ridge line.~~

~~(5) The siting of such facilities shall be selected to minimize visibility from the public right of way.~~

~~(6) Commercial operations, or operations open to the general public, are considered commercial enterprises and shall abide by all commercial building regulations and permits.~~

~~(c) **Carport Regulations.**~~

~~(1) Metal support poles required;~~

~~(1) Carports shall have a pitched roof or be sufficiently slanted to drain and shall be attached to the primary residence;~~

~~(2) Carports are prohibited in any front yard;~~

~~(3) Setbacks for carports shall be the same as for the primary structure in the governing zoning district; and~~

~~(4) Manufactured homes may install a carport, which shall be designed to shelter a maximum of two (2) vehicles, shall not exceed ten (10) feet in height, and shall not be located closer than three (3) feet to any side or rear lot line.~~

~~(d)~~(b) **Commercial Accessory Structure Regulations.**

(1) All structures located in non-residential, commercial, office, retail, industrial, and multi-family zoning districts, and structures associated with such land uses, are considered permanent, commercial buildings and shall obtain all necessary permits and inspections and abide by all applicable codes and masonry regulations.

(1)(2) Modular storage units, portable on demand storage containers, donation bins, kiosks or stands, cargo containers, and drop-off bins/trailers are considered accessory structures, if permanent. Temporary structures shall be visually mitigated by being placed outside of setbacks, generally behind the primary structure, outside of required parking and fire lanes, and only in association with seasonal needs or grand openings. The overall number of containers shall be limited to two (2) per lot, unless the scope of the commercial activity requires additional containers to be considered by staff.

(3) Accessory structures with pervious roofs, such as decorative pergolas or arbors, may be constructed with fire-treated and rot-resistant wooden or comparable material ~~with Director approval.~~ An open-air pavilion

(4) Structures attempting to satisfy shade structure requirements shall utilize a solid, standing seam metal roof.

(5) Columns shall be encased ~~its columns~~ in masonry that matches the primary building.

~~(e) **Detached Garage Regulations.**~~

~~(1) Front yard setback shall be twenty (20) feet for front-loading garages;~~

- ~~(1) Rear yard setback shall be twenty (20) feet for alley access garages;~~
- ~~(2) Side yard setback shall be twenty (20) feet for garages with access to a side street.~~
- ~~(3) Typical side yard setback shall be five (5) feet;~~
- ~~(4) The size, height, and architectural restrictions are the same as for accessory structures listed in Table A of this Article, except that a minor height waiver for associated pitched roofs may be granted at the discretion of the Director of Development Services; and~~
- ~~(5) An exception to the sixteen (16) foot maximum height for a detached garage may be granted at the discretion of the Director of Development Services for garages that are designed for oversized vehicles, such as RVs, boats, etc. as long as the overall height remains lower than the overall height of the main structure.~~
- ~~(6) The exterior facades of detached garages shall be constructed of a masonry material (brick, stone, stucco) or materials that are generally similar to the materials, percentages, and colors used on the main building or structure.~~

~~(f) **Greenhouse Structure Regulations:**~~

- ~~(1) Greenhouse structures require a building permit if ≥ 120 square feet.~~
- ~~(1) Typical side yard setback shall be three (3) feet;~~
- ~~(2) Side yard setback shall be fifteen (15) feet when facing a street;~~
- ~~(3) Rear yard setback shall be three (3) feet for structures that are < 250 square feet in size, no greater than eight (8) feet at the eave line, and screened from the alley or adjacent property by a solid fence; and~~
- ~~(4) Rear yard setback shall be five (5) feet for structures that are ≥ 250 square feet in size OR that do not meet the height and fence requirement cited above.~~

~~(g) **Patio Cover & Outdoor Room Regulations:**~~

- ~~(1) Patio covers or outside rooms that are attached to the primary structure and are ≤ 250 square feet shall be setback a minimum of three (3) feet of any property line;~~
- ~~(1) Patio covers or outside rooms that are attached to the primary structure and are > 250 square feet shall be setback a minimum of five (5) feet of any property line or the same setback for the primary structure, whichever is greater;~~
- ~~(2) Metal or wood may be used as support structures, but the wood shall be treated or otherwise impervious to rotting;~~
- ~~(3) Open roofing on patio covers and/or outdoor rooms may be constructed of wood beams that have been treated or otherwise impervious to rotting; and~~
- ~~(4) Covered or partially enclosed patios may be connected to the primary structure. However, should the applicant wish to convert the partially enclosed patio into a fully functioning room, the setbacks for the zoning district in which the residence is located shall apply.~~

~~(h) **Patios & Flatwork Regulations (Concrete or Pavers).**~~

- (1) All patios, grading, and other residential flatwork require a building permit. Depending upon the scope of the work, a drainage plan may also be required.
- (2) All new parking, drives, and approaches shall be constructed with concrete to the City's engineering design criteria;
- (3) Any ~~flatwork~~, foundation, or slab greater than 200 square feet shall be drawn to City standards and may require an engineer's seal;
- (4) Flatwork shall be set back a minimum of three (3) feet from any property line. Flatwork for AC units, trashcans, walkways, pool equipment, or similar installations may be reduced to two (2) feet from the side property line;
- (5) Flatwork is not allowed in the front yard area, unless the flatwork is for a driveway for a front-loading garage or a lead walk serving the house. This shall not be interpreted to allow for enlarged driveways, whose width should match the width of the enclosed garage and not be expanded into the side yard setback. J-swing garages shall also be accommodated;
- (6) Nothing within this section allows the creation of a drainage hazard or issue, and all flatwork shall be sloped or graded to drain according to original civil design; and
- (7) Paving is limited to twenty percent (20%) of total lot coverage, including the driveway but not including any patio, walkway, pool deck, sports courts or other paved feature; ~~and.~~

~~(8) — A residential property shall continue to maintain the majority of each of its yard in living landscape, as required by the Landscape ordinance and administered by the Director of Development Services. Mulch, gravel, rock gardens, decorative stone, and similar material may be used for decorative patterns, beds, erosion control, and in other limited application with associated landscaping; however, their use shall not be the predominant groundcover.~~

(d) **Swimming Pools, Spas, & Hot Tub Regulations.**

(1) Shall not be located in the front yard area;

~~(2) — Shall comply with the minimum side yard and corner lot requirements for accessory structures;~~

~~(3)(2) The setback shall be a minimum five (5) feet from any building line to the water's edge; Any in-ground installation shall be a minimum five (5) feet from any property line, retaining wall, and buildings. Anything closer than five (5) feet will require an engineered plan or meet the requirements of the International Pool and Spa Code as adopted with amendments.~~ and

~~(4)(3) Associated decking or flatwork. The setback shall be a minimum three (3) feet from any building property line to decking or flatwork.~~

(e) **Temporary Building Regulations.**

~~Land uses other than churches and public schools shall abide by the rules below. However, the number of temporary buildings, size of the buildings, and duration of time allowed for these uses shall be determined by the City Council on a case-by-case basis.~~

(1) Churches, cities, and public schools, regardless of the zoning district, may have a maximum of ~~three~~ five (35) ~~accessory buildings~~ portable or modular buildings at any given time that are secondary to the primary facilities. The total floor area of all ~~accessory buildings shall not exceed thirty (30%) of the square footage of the first floor of the main building or 3,000 square feet, whichever is less.~~

(2) Accessory-Portable or modular buildings utilized by churches, cities, and public schools are exempt from the Architectural Standards listed in this Article.

(3) The siting of temporary buildings shall be selected to minimize visibility from the public right-of-way.

(4) Skirting for the temporary building is required, as is concrete pedestrian access, in addition to any required ramps.

(5) A stabilizing foundation in compliance with the approved building code shall be provided or appropriate tie-down systems, as approved by the Fire Department.

(6) All buildings shall be perpetually maintained and repaired in a safe, reasonably attractive condition by the property owner in a manner that protects against the elements, is structurally safe, and corrects any visual ills or other problems.

Section 14.03.401 The following land uses require specific conditions to be met prior to the issuance of a building permit. **These land uses are listed as C, Conditions Required, in the Schedule of Uses, since they shall meet the specific regulations listed below for each use prior to being issued a building permit. If, at the Director's discretion, one or more of the conditions have not been met, the request may be brought to the City Council as a Specific Use Permit (SUP).**

~~(a) — **Alternative Energy Sources Regulations — Solar Panel/Device.**~~

~~(1) — Single family residential uses:~~

~~i. — Is in compliance with State law and poses no threat to public health or safety;~~

~~i. — Is located solely on private property;~~

~~ii. — Include approval letter from the HOA with submittal for the CUP, if applicable~~

~~iii. — Installation and maintenance in compliance with manufacturer's recommendations and warranties;~~

~~iv. — Roof mounted:~~

~~a. — Panels may not extend beyond the roofline or eave line;~~

- ~~b. Panels shall conform to the slope of the roof, unless mounted on a roof slope that is not visible from the right-of-way; and~~
- ~~c. Roof mounted panels should be designed to reduce excessive glare.~~
- ~~v. Ground mounted:~~
 - ~~a. Prohibited in front yards.~~
 - ~~a. Ground mounted devices shall follow the setbacks required for accessory structures within the specific zoning district.~~
 - ~~b. Device shall not be visible from either the public right-of-way or the adjacent properties;~~
 - ~~c. Device shall be screened by a wooden or masonry fence and no device shall extend above the fence line.~~
 - ~~d. Where fences are not allowed within the residential subdivision, a solid evergreen hedge which shall be maintained at a minimum of six (6) feet in height within eighteen (18) months of planting.~~

Section 14.03.501 The following temporary land uses require specific conditions to be met prior to the issuance of a building permit. These land uses are listed as C, Conditions Required, in the Schedule of Uses, since they shall meet the specific regulations listed below for each use prior to being issued a building permit.

- (b) Construction Yard or Field Office Regulations, Temporary.
 - (1) A "field office" is defined as a temporary building or structure used in connection with a development or construction project.
 - (2) A "construction yard" is associated with a field office and contains equipment and/or vehicles necessary for construction.
 - (2)(3)... A "sales office" is defined as a temporary building or structure that is open to the public and must provide ADA access and paved parking.
 - (3)(4)... Electrical connections shall be supplied by overhead or underground access – no open wiring lying directly on the ground shall be allowed.
 - ~~(4) Four (4) parking spaces shall be provided.~~
 - (5) The Director shall determine whether or not the proposed location is appropriate and setbacks have been observed.
 - (6) The Director shall determine whether the requested timeframe is appropriate.
 - i. Temporary permits for "temporary buildings" shall be issued for a period of time not to exceed 18 months.
 - ii. Extensions may be granted only by the Director.