

City of Garland

Instructions for Submitting Zoning Applications

1. All zoning change requests must contain the following documentation.
 - A. **Completed zoning application**
 - B. **Filing fee**
 - C. **Electronic copy of the metes and bounds legal description with exhibits**
 - D. **Written description of request (associated variance requests require justification)**

2. Depending on the type of zoning application filed, the following items are required in order to complete the application.
 - A. Change in Zoning
(supplemental information not required unless specified by the Planning Department)

 - B. Specific Use Permit
 - Written Description of Proposed Operation
 - Site Plan (see Site Plan instruction sheet)
 - Building Elevation and Signage Plan
(building façade materials, screening walls, signage)
 - Landscape Plan (see Landscape Plan instruction sheet)
 - Floor Plan
 - Lighting Plan (if specified by the Planning Department)

Civil Engineering Documents (submitted **directly** to the Engineering Department one week prior to the Specific Use Permit application filing deadline)

Specific Use Permit (within an existing building/no construction)

 - Written Description of Proposed Operation
 - Site Plan/Survey
 - Floor Plan

 - C. Amendment of Planned Development District
 - List of proposed changes
 - Revised Detail, Elevation, Landscape Plan

 - D. *Planned Development Zoning
 - Land Use Plan or,
 - Concept Plan w/ proposed PD Conditions (Civil Eng. Doc. not required) or,
 - Detail Plan w/ proposed PD Conditions (see Detail Plan instruction sheet)
 - Building Elevation and Signage Plan
(building façade materials, screening walls, refuse screens, signage)
 - Landscape Plan (see Landscape Plan instruction sheet)
 - Lighting Plan (if specified by the Planning Department)

Civil Engineering Documents (submitted **directly** to the Engineering Department one week prior to the Detail Plan application filing deadline)

***For Planned Development Zoning Applications, an acreage waiver is required for property that does not meet the minimum size requirements as set forth in Section 32 of the Comprehensive Zoning Ordinance. All development within the SH 190/IH 30/IH 635 and the Downtown Corridors must comply with the SH 190/IH 30/IH 635 and Downtown Development Standards and the respective overlay districts.**

For additional information contact the **Planning Department** at **972.205.2445**.

City of Garland

Specific Use Permit (Site Plan) and Detail Plan Submittal Instruction Sheet

- I. Detail Plans must be accurately and legibly drawn to scale with dimensions.
- II. The Planning Department and other city department representatives will conduct a Technical Review meeting with the applicant or the applicant's technical assistance representative(s) on a Tuesday morning (thirteen days after the filing deadline) at 9 AM in the Bluebonnet Room, on the first floor of the Main Street Municipal Building located at 800 Main Street, Garland, Texas.
- III. **Procedures for Site Plan (Specific Use Permits) or Detail Plan (Planned Developments):**

A) Drawings:

1) Submittal at the Filing Deadline:

- a) **13** - 24" x 36" black line prints (**Folded**)
- b) **1** - 8 1/2" x 11" copy on standard white paper (must be legible)

2) Three days after Technical Review (Friday by Noon):

- a) **13** - 24" x 36" black line prints (**Folded**)
- b) **2** - 8 1/2" x 11" copy on standard white paper (must be legible)

B) Site/Detail Plan Checklist: *

- North arrow scale, project title, address, name of owner, date
- Vicinity map
- Zoning reference and legal description
- Site area
- Point of reference to accurately locate the site
- Boundary of the existing property
- Ingress and egress with parking layout and aisle dimensions
- Drives and internal circulation including fire lanes
- Existing right-of-way and any right-of-way dedication
- Public and private driveways; adjoining streets
- Drainage and utility easements
- Loading areas
- Refuse facility details
- Development details (provide in legend)
 - i) Square footage of existing and proposed buildings
 - ii) Parking required/provided
 - iii) Building height required/provided
 - iv) Lot coverage required/provided
 - v) Other applicable details as specified by the Planning Department
- Signage details

A Tree Management Plan is required unless otherwise specified by the Planning Department. An Exterior Building Elevation Plan is required unless otherwise specified by the Planning Department.

- All exterior building elevation plans must include proposed façade materials (provide percentage breakdown for all building elevations in tabulation form).

If property is located within the SH 190/IH 30/IH 635 Corridor, building elevations and landscape plans are required to have the seal of an architect/ landscape architect registered in the State of Texas.

For additional information, please contact the **Planning Department** at **972.205.2445**.

City of Garland

Landscape Plan Submittal Instruction Sheet

- I. Landscape Plans must be prepared by a licensed landscape architect and accurately and legibly drawn to scale with dimensions.
- II. The Planning Department and other city department representatives will conduct a Technical Review meeting with the applicant or the applicant's technical assistance representative(s) on a Tuesday morning (thirteen days after the filing deadline) at 9am in the Bluebonnet Room, on the first floor of the Main Street Municipal Building located at 800 Main Street, Garland, Texas.

III. Procedures for Landscape Plans:

1) Submittal at the Filing Deadline:

- a) 13 - 24" x 36" black line prints (**Folded**)
- b) 1 - 8 1/2" x 11" copy on standard white paper (must be legible)

2) Three days after Technical Review (Friday by Noon):

- a) 13 - 24" x 36" black line prints (**Folded**)
- b) 2 - 8 1/2" x 11" copy on standard white paper (must be legible)

B) Landscape Plan Checklist:

- Scale, project title, address, name of owner, date
- North arrow
- Zoning reference
- Name of Landscape Architect and Owner
- Point of reference to accurately locate the site
- Boundary of the existing property
- Existing and proposed buildings including size
- Proposed landscape buffers
- Tree types, number and sizes for all trees proposed
- Landscape areas within the parking area
- Landscape calculations (including percent of site landscaped)
- Refuse facilities with type of screening to be used
- Loading areas with type of screening to be used
- Existing and proposed utility and drainage easements
- **Landscaping and landscaping buffers shall not be located within any utility easements**

For additional information contact the **Planning Department**, at **972.205.2445**.

SECTION 34

CHANGES AND AMENDMENTS TO ALL ZONING ORDINANCES AND DISTRICTS AND ADMINISTRATIVE PROCEDURES

34-100 Declaration of Policy

The City Council declares the enactment of these regulations governing the use and development of land, buildings, and structures as a measure necessary to the orderly development of the community. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:

- a) To correct any error in the regulations or map, or
- b) To recognize changed or changing conditions or circumstances in a particular locality, or
- c) To recognize changes in technology, the style of living, or manner of doing business.

34-200 Authority to Amend Ordinance

The City Council may from time to time, after receiving a final report hereon by the Plan Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts. Any amendment, supplement, or change to the text of the Zoning Ordinance may be ordered for consideration by the City Council, be initiated by the Plan Commission, or be requested by any owner of real property, or the authorized representative of an owner of real property.

Consideration for a change in any district boundary line or special zoning regulation may be initiated only with written consent of the property owner, or by the Plan Commission or City Council on its own motion when it finds that public benefit will be derived from consideration of such matter. In the event the ownership stated on an application and that shown on the City records are different, the applicant shall submit proof of ownership.

34-300 Procedure

34-310 Public Hearing and Notice

34-311 General Hearings

Prior to making its report to the City Council, the Plan Commission shall hold at least one public hearing on each application. Written notice of all public hearings on proposed changes in district boundaries shall be sent to all owners of property, or to the person rendering the same for City taxes, located within the area of application and within 400 feet of any property affected thereby, within not less than 10 days before such hearing is held. Such notice may be served by using the last known address as listed on the City tax roll and depositing the notice, postage paid, in the United States Mail. Notice of hearings on proposed changes in the text of the Zoning Ordinance shall be accomplished by one publication not less than 15 days prior thereto in the official newspaper of the City.

34-312 Hearings on Planned Developments or Specific Use Permits

Prior to holding a hearing to grant, change, revise, or modify any Planned Development District or Specific Use Permit, notice of the hearing shall be sent to all owners of property, or persons rendering the same for taxes, within such Planned Development or Specific Use Permit and to the owners within four hundred (400) feet of the Planned Development or Specific Use Permit in the manner set forth in Section 34-311.

34-313 Failure to Appear

Failure of the applicant or his representative to appear before the Plan Commission for more than one hearing without an approved delay shall constitute sufficient grounds for the Plan Commission to terminate the application.

34-320 Plan Commission Consideration and Report

34-321 The Plan Commission, after the public hearing is closed, shall prepare its report and recommendations on the proposed change stating its findings, its evaluation of the request and of the relationship of the request to the Comprehensive Plan. The Plan Commission may defer its report for not more than ninety (90) days until it has had opportunity to consider other proposed changes that may have a direct bearing thereon. In making its determination, the Plan Commission shall consider the following factors:

34-321.1 Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.

34-321.2 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, and shall note the findings;

34-321.3 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;

34-321.4 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;

34-321.5 How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also;

34-321.6 Any other factors which will substantially affects the health, safety, morals, or general welfare.

34-330 City Council Consideration

34-331 Proposal Recommended for Approval

Every proposal that is recommended favorably by the Plan Commission shall be forwarded to the City Council for setting and holding of public hearing thereon. No change, however, shall become effective until after the adoption of an ordinance for same and its publication as required by law.

34-332 Proposal Recommended for Denial

When the Plan Commission determines that a proposal should be denied, it shall so report and recommend to the City Council and notify the applicant. A hearing before the City Council shall be set on an application recommended for denial only when an appeal is filed by the applicant with the City Manager within fifteen (15) days of the date of the recommendation for denial.

34-340 City Council Hearing and Notice

Notice of City Council hearing shall be given by publication one time in the official newspaper of the City, stating the time and place of such hearing, which shall be at least fifteen (15) days after the date of publication.

34-350 Three-Fourths Vote

34-351 A favorable vote of three-fourths of all members of the City Council shall be required to approve any change in zoning when written objections are received which comply with the provisions of the state laws commonly referred to as the "twenty percent (20%) rule."

34-400 Administrative Standards

Whenever, in the course of administration and enforcement of this ordinance, it is necessary or desirable to make any administrative decision, then unless other standards are in this ordinance provided, the decision shall be made so that the result will not be contrary to the spirit and purpose of this ordinance or injurious to the surrounding neighborhood.

HOW TO PREPARE FOR A ZONING HEARING

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

1. **Be brief and concise.** Use only the amount of time necessary to clearly state the facts 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 3 minutes is allowed for rebuttal by the applicant. The Plan 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 34** sets forth that the City Council, and consequently the Plan Commission, must find that one of three conditions exists in order to change the zoning. Presentations should keep these points in mind.

34-100 Declaration of Policy

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- a) To correct any error in the regulations or map, or
 - b) To recognize changed or changing conditions or circumstances in a particular locality, or
 - c) To recognize changes in technology, the style of living, or manner of doing business.
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. Equipment provided by the City includes a slide to video projector, a video cassette player and a video camera display system.

**FOR MORE INFORMATION CONTACT
CITY OF GARLAND PLANNING DEPARTMENT**

972.205.2445