



**AGENDA
CITY COUNCIL MEETING
MAY 12, 2026**

1371 WEST FM 550 - McLendon-Chisholm, Texas 75032 5:30 PM

1. CALL TO ORDER
2. EXECUTIVE SESSION
The City Council for the City of McLendon-Chisholm, Texas, reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, §551.071 - Consultation with attorney,
3. INVOCATION AND PLEDGE
4. RULES OF DECORUM
5. PROCLAMATIONS
6. PUBLIC HEARING
 - 6.1. Public Hearing to receive comments on a proposed request to rezone approximately 9.17 acres of land from Single-Family Residential (SF 2.5) to a Planned Development District (PD) with additional development and use standards, with a base zoning district of "GB" General Business, as defined in the City's Code of Ordinances
 - 6.2. Public Hearing to receive comments on approval of an ordinance amending Section 5.2, "State Highway 205 Overlay District", of Article V, "Special Districts," of the City's Zoning Ordinance, specifically related to temporary sign regulations.
7. CITIZEN COMMENTS
8. CONSENT AGENDA
 - 8.1. Consider approval of minutes from April 14, 2026 meeting
 - 8.2. Discuss and consider a resolution designating Rockwall County Herald-Banner and Royse City Herald-Banner as the official newspaper for the City of McLendon-Chisholm for Fiscal Year 2025-2026
9. ITEMS FOR DISCUSSION
 - 9.1. Discuss and consider a resolution of the City Council of the City of McLendon-

Chisholm, Texas canvassing the election returns and declaring election results in the General Election held in the City of McLendon-Chisholm on May 2, 2026, for the purpose of electing a Mayor for a term of 3 years, and 3 Council Members. Place two (2) and Place four (4) for a period of three (3) years and Place Six (6) for a period of two(2) years.

- 9.2. Discuss and consider a resolution canvassing the returns and declaring the results of the special election for the abolition of an additional sales and use tax within the McLendon-Chisholm city limits at the rate of 0.5 percent and the adoption of a local sales and use tax in McLendon-Chisholm at the rate of 0.5 percent to provide revenue for maintenance and repair of municipal streets.
- 9.3. Swear in Mayor Elect and Elected Council Members
- 9.4. Receive a presentation and discuss updates regarding the establishment of a Town Center.
- 9.5. Discuss and consider an ordinance amending the budget, transferring solid waste (trash) revenues and expenditures from the General Fund to the Utility Fund, which is accounted for as an enterprise fund. This reclassification is consistent with the recommendation outlined in the City's FY 2025 audit report.
- 9.6. Discuss and consider approval of an ordinance amending Section 5.2, "State Highway 205 Overlay District", of Article V, "Special Districts," of the City's Zoning Ordinance, specifically related to temporary sign regulations.
- 9.7. Discuss and consider an ordinance amending Chapter 3, "Building Regulations," Article 3.05 "Signs," by amending Section 3.05.020 "Wall Signs" to establish standards for building mounted signs within nonresidential zoning districts.
- 9.8. Discuss and Consider the appointment of Mayor Pro Tem

10. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

The City Council will have an opportunity to address items of community interest including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of McLendon-Chisholm; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of McLendon-Chisholm that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of McLendon-Chisholm; and announcements involving an imminent threat to the public health and safety of people in the City of McLendon-Chisholm that has arisen after posting the agenda.

11. ADJOURN

I, Angela Jennings, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., May 5, 2026 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



City of McLendon-Chisholm
Staff Report

Date: May 12, 2026

Agenda Item: Discuss and consider a resolution designating Rockwall County Herald-Banner and Royse City Herald-Banner as the official newspaper for the City of McLendon-Chisholm for Fiscal Year 2025–2026.

Background:

Pursuant to Texas Local Government Code Section 52.004, City Council is required to designate an official newspaper as soon as practicable after the beginning of each municipal year. The official newspaper serves as the publication of record for all legal notices, ordinances, and other items that must be publicly advertised.

The City should designate a local newspaper of general circulation to fulfill this requirement. Staff is recommending the designation of Rockwall County Herald-Banner and Royse City Herald-Banner which serves the McLendon-Chisholm area and surrounding communities.

Options/Alternatives:

1. City Council may approve the Resolution, as presented.
2. City Council may deny the Resolution.

Recommendation:

Staff recommend approval of the Resolution, as presented.

Attachments:

- Resolution

Presenter: Fabrice Kabona, City Manager

RESOLUTION NO. 2026 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, DESIGNATING ROCKWALL COUNTY HERALD-BANNER AND ROYSE CITY HERALD-BANNER AS THE OFFICIAL NEWSPAPER FOR THE CITY IN ACCORDANCE WITH STATE LAW FOR FISCAL YEAR 2025-2026; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Texas Local Government Code Section 52.004 provides that the governing body of a municipality shall, as soon as practicable after the beginning of each municipal year, contract with a public newspaper of general circulation to serve as the municipality's official newspaper; and

WHEREAS, said statute further requires that the City publish in its official newspaper each ordinance, notice, and other matter required by law or ordinance to be published; and

WHEREAS, the City Council of the City of McLendon-Chisholm desires to designate an official newspaper to serve the City for the applicable fiscal year;

WHEREAS, proposals received have been reviewed and evaluated based on qualifications, experience, integrity, compliance with public policy, past performance, and financial and technical capacity; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF MCLENDON-CHISHOLM, TEXAS THAT:

SECTION 1. The City Council hereby designate Rockwall County Herad-Banner and Royse City Herald-Banner, a public newspaper of general circulation serving the City of McLendon-Chisholm and the surrounding area, as the official newspaper of the City.

All ordinances, notices, and other matters required by law or ordinance to be published shall be published in said newspaper until such time as another official newspaper is designated by the City Council.

SECTION 2. This resolution shall take effect immediately upon adoption.

PASSED AND APPROVED THIS 12th DAY OF MAY, 2026

APPROVED:

John Powers, Mayor Pro Tem

ATTEST:

Angela Jennings, City Secretary

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS CANVASSING THE ELECTION RETURNS AND DECLARING ELECTION RESULTS IN THE GENERAL ELECTION HELD IN THE CITY OF MCLENDON-CHISHOLM ON MAY 2, 2026 FOR THE PURPOSE OF ELECTING A MAYOR FOR A TERM OF THREE YEARS, TWO COUNCIL MEMBERS FOR PLACES 2 AND 4 FOR A TERM OF THREE YEARS EACH; ONE COUNCIL MEMBER, PLACE 6, FOR A TERM OF TWO YEARS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on Dec 9, 2025 the City Council of the City of McLendon-Chisholm, Texas (the "(City Council)") ordered and called a General Election to be held on Saturday, May 2, 2026 for the purpose of electing a Mayor, and 3 Council Members to the City Council for Places 2 and 4 for a term of three (3) years each; One Council Member, Place 6, for a term of two (2) years; and

WHEREAS, public notice of such election was duly given, and such election was duly and properly held and administered in accordance with the laws of the State of Texas; and

WHEREAS, the City Council has met on this date to canvass the General Election returns, and the returns of the election were made to the City Council by the election officers in strict conformity with law, and the City Council has carefully and accurately examined and canvassed the returns and tabulated the results of the election; and

WHEREAS it was found that the persons herein named received the following total number of votes for said term of office as Council Members on the City Council:

MAYOR

Jerry Brewer	629
Floyd McLendon, Jr	143

COUNCIL MEMBER PLACE 2

Dennis London	592
Trudy Woessner	167

COUNCIL MEMBER PLACE 4

Michael Hermansen	574
Erin Easter	182

COUNCIL MEMBER PLACE 6

Rich Dean	669
-----------	-----

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MCLENDON-CHISHOLM, TEXAS:

SECTION 1: That the recitals set forth in the WHEREAS clauses of this Resolution are true and correct, constitute findings and determinations by the City Council, and are incorporated herein.

SECTION 2: That Jerry Brewer is hereby declared to be elected Mayor.

SECTION 3. That Dennis London is hereby declared to be elected Council Member, Place 2

SECTION 4. That Michael Hermansen is hereby declared to be elected Council Member, Place 4

SECTION 5: That Rich Dean is hereby declared to be elected Council Member, Place 6.

SECTION 6: That a majority of the residents and qualified electors of the City of McLendon-Chisholm, Texas, voting in a General Election for the purpose of electing a Mayor and three Council Members to Places 2, 4, and 6, have cast the Election Day, Early Voter and Mail Voter votes reflected on the attached Election Returns Sheet and Certification of the Elections Administrator for Rockwall County, Texas.

SECTION 7: That it is hereby declared that the City of McLendon-Chisholm, Texas approves and accepts the results of the General Election for Mayor and three Council Members for Places 2, 4, and 6, as set forth in the attached Election Returns Sheet and Certification of the Elections Administrator for Rockwall County, Texas, as determined by the majority vote of the qualified voters of the City of McLendon-Chisholm, Texas.

SECTION 8: That all ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this resolution shall be and remain controlling as to the matters resolved here.

SECTION 9: That if any part or parts of this Resolution are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this resolution is considered severable.

SECTION 10: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Texas Local Government Code.

SECTION 11: That the City Secretary shall record this Resolution in the City's official records.

SECTION 12: That this Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13: That this Resolution will become effective immediately upon its passage by the City Council of the City of McLendon-Chisholm, Texas.

DULY PASSED AND APPROVED THIS THE 12th DAY OF MAY 2026

APPROVED:

John Powers, Mayor Pro Tem

ATTEST:

Angela Jennings, City Secretary

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION FOR THE ABOLITION OF AN ADDITIONAL SALES AND USE TAX WITHIN THE MCLENDON-CHISHOLM CITY LIMITS AT THE RATE OF 0.5 PERCENT AND THE ADOPTION OF A LOCAL SALES AND USE TAX IN MCLENDON-CHISHOLM AT THE RATE OF 0.5 PERCENT TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.

SPECIAL ELECTION

McLendon-Chisholm, Texas

May 2, 2026

CANVASS OF RETURNS AND DECLARATION OF RESULTS OF ELECTION

BE IT REMEMBERED THAT on this the 12th day of May, 2026, at a meeting of the City Council of the City of McLendon-Chisholm, Texas, a quorum being present, the meeting was called to order, and the following business was transacted.

Upon motion it was unanimously ordered that the City Council consider the official returns of a Special Election held in the City on May 2, 2026, for the election for the abolition of an additional sales and use tax of 0.5 percent within the McLendon-Chisholm City Limits and adoption of a 0.5 percent sales and use tax that will provide revenue for maintenance and repair of municipal streets.

WHEREUPON said official returns were opened, examined, canvassed and the results declared as follows:

CANVASS OF RETURNS AND DECLARATION OF RESULTS

WHEREAS, heretofore, the City Council of the City of McLendon-Chisholm, Texas, called a Special Election to be held in the City on May 2, 2026, for the abolition of an additional sales and use tax of 0.5 percent within the McLendon-Chisholm City Limits

and adoption of a 0.5 percent sales and use tax that will provide revenue for maintenance and repair of municipal streets; and

WHEREAS, immediately after said election the Presiding Judge and other officials holding said election made their returns of the results thereof to the City Council as follows, and said returns being made according to law, and duly authenticated, and it being shown that written notice of said election was posted for the time and in the manner provided by law, and all other proceedings pertaining to said election having been shown to have been done and performed at and within the manner provided by law, and all papers pertaining thereto having been returned and filed with the City Council and no protest of objection being made to or regarding any matter pertaining to said election.

WHEREAS, on May 12, 2026, all papers pertaining thereto having the City Council duly canvassed the vote of said election, which showed there were 768 electors voting at said election who cast votes as follows:

PROPOSITION A

“THE ABOLITION OF AN ADDITIONAL SALES AND USE TAX WITHIN THE MCLENDON-CHISHOLM CITY LIMITS AT THE RATE OF 0.5 PERCENT AND THE ADOPTION OF A LOCAL SALES AND USE TAX IN MCLENDON-CHISHOLM AT THE RATE OF 0.5 PERCENT TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS. “

FOR	523
AGAINST	245

as is reflected by the election returns heretofore filed by the election judges with the City Secretary.

IT IS FURTHER ORDERED that this canvass and declaration of results of said election be entered in the Minutes of the City Council and the Recitals of this Resolution are fully incorporated herein as if fully recited.

This Resolution, declaring the results of the special election, shall become effective immediately after its passage and the City Secretary is hereby directed to send a copy of this resolution, to the Texas Comptroller of Public Accounts in accordance with the applicable provisions of the Texas Tax Code.

DULY PASSED by the City Council of the City of McLendon-Chisholm, Texas on this the 12th of May, 2026.

APPROVED:

John Powers, Mayor Pro Tem

ATTEST:

Angela Jennings, City Secretary



City of McLendon-Chisholm

Staff Report

Date: May 12, 2026

Agenda Item: Receive a presentation and discuss updates regarding the establishment of a Town Center.

Background:

At the January 2, 2026, City Council meeting, Council directed staff to explore the feasibility of establishing a Town Center on City-owned property. The City owns approximately 9.057 acres of undeveloped land immediately adjacent to City Hall. This area has been identified as a key location for future civic and community-focused development.

City Council will receive an update from Mr. Martin Sanchez (consultant) regarding this project.

Presenter: Fabrice Kabona, City Manager



City of McLendon-Chisholm

Staff Report

Date: May 12, 2025

Agenda Item: Staff update on FY26 Budget Amendment

Financial Impact: N/A

Background: The proposed budget amendment transfers solid waste (trash) revenues and expenditures from the General Fund to the Utility Fund, which is accounted for as an enterprise fund. These activities are more appropriately classified within the Utility Fund and should have been recorded there when the City initially established trash billing through Inframark. This reclassification is consistent with the recommendation outlined in the City's FY 2025 audit report.

As the City proceeds with the implementation of its ERP system and prepares to transition utility billing operations in-house, it is both timely and prudent to align these revenues and expenditures within the appropriate fund to ensure accurate financial reporting and consistency with best practices.

Presenter: Mr. Jeff White, Finance Director

Exhibit A

GENERAL FUND

REVENUES

<u>Description</u>	<u>Account ID</u>	<u>FY26 Adopted Budget</u>	<u>FY26 Amended Budget</u>	<u>Difference</u>
Trash/Recycling Revenue	100-315-31500	735,000.00	-	(735,000.00)

EXPENSES

<u>Description</u>	<u>Account ID</u>	<u>FY26 Adopted Budget</u>	<u>FY26 Amended Budget</u>	<u>Difference</u>
Residential Trash / Recycling	100-410-41015	660,000.00	-	660,000.00

Utility Fund

REVENUES

<u>Description</u>	<u>Account ID</u>	<u>FY26 Adopted Budget</u>	<u>FY26 Amended Budget</u>	<u>Difference</u>
Residential Trash / Recycling	300-315-31500	-	735,000.00	735,000.00

EXPENSES

<u>Description</u>	<u>Account ID</u>	<u>FY26 Adopted Budget</u>	<u>FY26 Amended Budget</u>	<u>Difference</u>
Residential Trash / Recycling	100-410-41015	-	660,000.00	(660,000.00)

CITY OF MCLENDON-CHISHOLM ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS AMENDING THE CURRENT 2025-2026 FISCAL YEAR BUDGET; FINDING MUNICIPAL PURPOSES; AUTHORIZING EXPENDITURES. PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of McLendon-Chisholm, Texas, (the "City Council") has utilized diligent thought, attention, and determination in creating the 2025-2026 budget; and

WHEREAS, on Sept 9, 2025, the City Council of the City of McLendon-Chisholm passed Ordinance No. 2025-26, adopting the budget for the fiscal year beginning October 1, 2025; and,

WHEREAS, upon examination and review of revenues and expenditures, the City Manager and City Council have determined it necessary to amend and modify the operating budgets of the General Fund and Utility Fund as set forth herein (Exhibit A) and,

WHEREAS, the City Council finds that the proposed Budget Amendment is for legitimate municipal purposes, and thus is statutorily authorized by Texas Local Government Code section 102.010; and

WHEREAS, the City Council finds that it is necessary and proper for good government, peace or order of the City of McLendon-Chisholm to adopt an ordinance amending the current budget.

WHEREAS, the City Council finds the amendments in the line items identified in Exhibit "A" are reasonable, necessary, and for legitimate municipal purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS:

SECTION 1. FINDINGS. The City Council finds the statements made in the preamble above are true and correct. The City Council does authorize amendments to the budget and does authorize expenditures as an amendment to the original budget, finding this is a situation which could not have been included in the original budget through the use of reasonably diligent thought and attention.

SECTION 2. BUDGET LINE ITEMS. The City Council approves budget amendments in Exhibit "A" which is attached and incorporated herein for all purposes and described as Budget Amendment #1, which includes the General Fund Budget and the Utility Fund Budget.

SECTION 3. BUDGET TOTAL. The City Council further finds that the amended budget line items in Exhibit "A" will not cause the total expenditures in the budget to exceed the total revenues.

SECTION 4. The City Council hereby approves the Amended Budget for Fiscal Year 2025-2026.

SECTION 5. That all provisions of the ordinances of the City of McLendon-Chisholm in conflict with the provisions of this ordinance be and the same are hereby repealed and all ordinances not in conflict shall remain in full force and effect, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

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

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

SECTION 8. The mayor is authorized to make the amendments as set forth above and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached Exhibit "A", with the city secretary and in the office of the County Clerk of Rockwall County, Texas.

DULY PASSED by the City Council of the City of McLendon-Chisholm, Texas, on the 12th day of May 2026.

APPROVED:

ATTEST:

Jerry Brewer, Mayor

Angela Jennings, City Secretary



City of McLendon-Chisholm

Staff Report

Date: May 12, 2026

Agenda Item: Discuss and consider approval of an ordinance amending Section 5.2, "State Highway 205 Overlay District," of Article V, "Special Districts," of the City's Zoning Ordinance, specifically related to temporary sign regulations.

Background:

The State Highway 205 Overlay District was approved by City Council on February 24, 2026, to establish additional development standards along a key arterial corridor within the City. As part of ongoing implementation and refinement of the overlay district, staff has identified the need to clarify and adjust provisions related to temporary signage.

The proposed amendment focuses specifically on temporary signs within the overlay district. The amendment would:

- Allow one (1) temporary sign per tenant or unit; and
- Require that all temporary signs be removed within thirty (30) days following the issuance of a Certificate of Occupancy.

These revisions are intended to provide flexibility for businesses during initial occupancy while ensuring that temporary signage does not remain in place indefinitely, thereby maintaining the aesthetic quality and intent of the overlay district.

The Planning and Zoning Commission considered this item at a public hearing held on May 5, 2026, and recommended approval.

Options/Alternatives:

1. City Council may approve the Ordinance, as presented.
2. City Council may deny the Ordinance.

Recommendation:

Staff recommend approval of the Ordinance, as presented.

Attachments:

- Ordinance
- Exhibit A – State Highway 205 Overlay District Regulations

Presenter: Fabrice Kabona, City Manager

Section 5-2 Special Districts: State Highway 205 Overlay District

5.2.1 Purpose

Recognizing that SH 205 is a major historic, cultural and non-residential arterial through the City of McLendon- Chisholm, Texas the City hereby provides additional development standards for non-residential developments in this corridor.

5.2.2 Limits of Overlay District.

The area encompassed by these standards shall include all those properties that extend from the centerline of State Highway 205 to a point 1,500 feet parallel on each side of the centerline of SH 205 from the northernmost to the southernmost City of McLendon-Chisholm city limit lines. The Overlay District is intended to apply to all non-residential developments within the SH 205 corridor. Any property zoned for non-residential development within this corridor, in full or in part, shall be subject to the development standards contained herein. This Overlay District will extend from the northern City limit line to the southern city limit line as they exist or as they may be amended in the future. The provisions of the State Highway 205 Overlay District shall apply to all properties fully or partially within the defined area. Due to the varying locations of property lines, tract lines or other ownership or geographic criteria, the City Council may approve modifications to the strict adherence to this Overlay District upon a request by a property owner or applicant.

5.2.3 Applicability.

Existing base zoning districts of properties within the area shall not be affected except as noted below. All applicable regulations for use, yard, area, lot dimensions, utility placement, site circulation, and landscaping shall be those specified for each individual district except as may be amended herein.

This Overlay District shall apply as follows:

- (1) Property Not Zoned or Zoned AG - Agriculture:
 - a. This Overlay District, as adopted and as amended in the future, shall apply as a “prefix” to base zoning.
 - b. All future zoning regulations shall conform to the criteria set herein.
- (2) Property with existing non-residential straight zoning:
 - a. This Overlay District, as adopted and as amended in the future, shall apply as a “suffix” to property currently zoned as non-residential.
 - b. The existing base zoning district shall prevail except in cases where the base district is silent or there is a direct conflict with this Overlay District
 - i. Where the base zoning district is silent on any specific development standard, the Overlay District shall prevail.
 - ii. Where the base zoning district and this Overlay District have conflicting standards, the stricter standard shall prevail.
- (3) Property with existing residential zoning:
 - a. This overlay district shall not apply to any properties with existing residential zoning
 - b. Existing residential zoning shall be grandfathered.
 - c. If property with existing residential zoning is rezoned, the City of McLendon-Chisholm shall consider this Overlay District as part of the rezoning evaluation process, but may waive the application of this Overlay District.
- (4) Property with an existing “PD – Planned Development District”:
 - a. This Overlay District, as adopted and as amended in the future, shall apply as a “suffix” to property currently zoned as PD-Planned Development District.

- b. Existing PD-Planned Development District standards shall prevail **except** in instances where the PD-Planned Development District is silent. Where the PD-Planned Development District is silent on any specific development standard found in the Overlay District, the Overlay District shall prevail.
 - c. Where the PD-Planned Development District and this Overlay District have conflicting standards, the PD-Planned Development District shall prevail.
- (5) Except as noted herein, the requirements below shall apply to all lots or tracts located fully or partially within the geographic limits of the Overlay District. Any future changes to a site plan and/or a platted property after the adoption of this Overlay District may be subject to the standards herein as may be applicable. The City Council may approve amendments to specific standards herein and may adopt alternative regulations through the Specific Use Permit or a rezoning process.

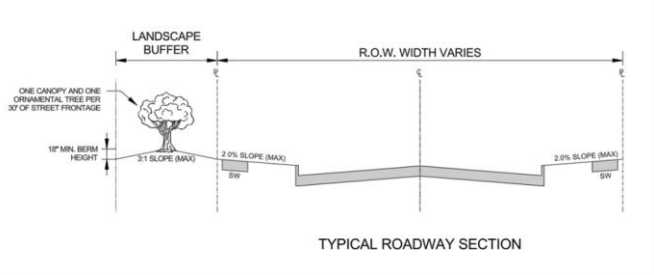
5.2.4 Non-Residential Uses.

Property within the State Highway 205 Overlay District shall be primarily developed as non-residential. No residential zoning shall be permitted within this overlay district.

5.2.5 Landscaping requirements:

The purpose of this section is to promote a unified landscaped corridor through the City, to enhance the City’s major thoroughfare, provide for a noise pollution barrier for the residential development on either side of the Overlay District and promote an environmentally responsible corridor.

- (1) A minimum 30-foot wide landscape buffer (as measured from the front property line, exclusive of rights-of-way, site visibility easements, future thoroughfare setbacks, etc.) shall be provided. This requirement is not intended to prohibit the placement of driveway openings as specified in the Thoroughfare Standards Rules & Regulations, as currently adopted or modified in the future.



- (2) The landscape buffer shall generally consist of street trees, shrubs, groundcover, berms, and related elements and shall meet the following criteria:
 - a. A minimum of one three-inch caliper canopy tree and one ornamental tree (measured at twelve inches above the soil line and six-foot planted height) per 30 feet of street frontage. The number of street trees required shall be calculated as one (1) each (canopy and ornamental) per thirty (30) feet of street frontage, but the trees may be planted in groups or clusters as indicated in a commercial development landscape plan. Up to thirty percent (30%) of the canopy trees are eligible for substitution with additional ornamental trees at a 1:3 ratio. For every canopy tree that is substituted, three ornamental trees will be required.
 - b. Headlight screening:
 - i. The inclusion of a landscape screen is important for screening headlights from adjacent non-residential development parking. The headlight screening minimizes glare for adjacent arterial traffic.

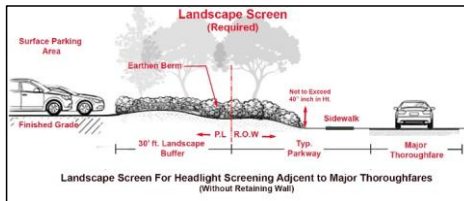
- ii. A minimum height of eighteen inches (18") inches (as measured from the finished grade of the parking area) in locations where the landscape edge separates a surface parking area from State Highway 205 or another major thoroughfare.



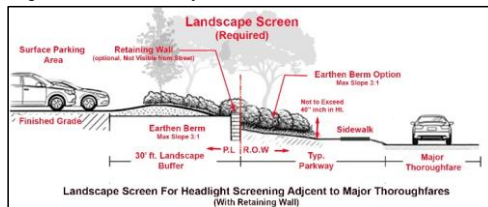
- iii. Planting material shall be an evergreen variety, at least twelve inches (12") in height at planting, spaced no more than twelve inches (12") apart and the species shall reach an eighteen-inch (18") height within twenty-four months and grow into a continuous hedgerow.
- iv. All planting material shall include an irrigation plan to ensure viability. Landscape Plans shall include an irrigation note to this effect.

- c. The use of earthen berms in the landscape buffer is encouraged under the following criteria:

- i. The minimum height of a berm shall be eighteen inches (18") as measured from the parkway elevation at the corresponding right-of-way line.



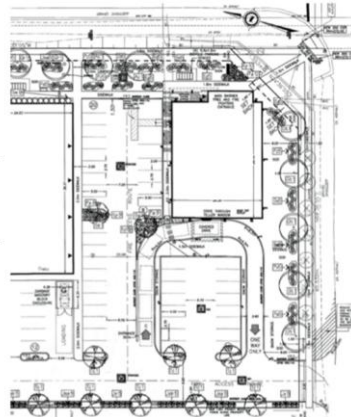
- ii. Maximum height of berms shall be four (4) feet as measured from the parkway elevation at the corresponding right-of-way line.
- iii. Berms shall have a maximum slope of three (3) feet of horizontal run for every one (1) foot of height.
- iv. A retaining wall with an independent footer may be used on the side furthest away from the right-of-way to tie into the associated development grade line. Retaining walls shall not be incorporated into standard curbs.



- v. A minimum of thirty percent (30%) of the landscape buffer area shall include shrubs, hedges, ground cover, boulders, xeriscape elements, or a combination thereof.
 - i. No shrubbery, hedges, other plant material or retaining walls shall impede site visibility triangles.
 - ii. Shrubby hedges forming a continuous living screen and retaining walls used in conjunction with berms shall not exceed 40 inches in height as measured from the parkway elevation at the right-of-way line.

- (3) A landscape plan, including planting and irrigation details, shall be submitted in conjunction with the site plan for review and approval. Landscape Plans:
- Shall accompany all non-residential site plan submittals
 - Shall be prepared by either a Registered Professional Engineer (PE) or a Registered Landscape Architect (RLA). A PE or RLA shall be responsible for insuring that the Landscape Plans adhere to these criteria by sealing and signing such plans.
 - Landscape Plans shall include the following (at a minimum):

- Site Features (north arrow, scale, site plan details, project name, owner, name of professional preparing the plan and other relevant information as required by City staff).
- General Notes including irrigation notes, planting material and other site data as required by City staff.
- Plan view of the proposed landscaped areas with dimensions and other critical site details.
- Street Tree calculations and notes: required and provided
- Plant material selected including name (common and Botanical), planting size (gallons, caliper inches, canopy dimensions), planting separation, full height notes, and related information.
- Plant installation details which adhere to nurseryman standards
- Irrigation plan by a State of Texas licensed irrigation specialist shall be submitted with the civil engineering construction documents.



**SAMPLE PLANT LIST
PLANT MATERIAL**

KEY	COMMON NAME	BOTANICAL NAME	HT.	SIZE	ZONE
A1	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A2	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A3	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A4	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A5	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A6	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A7	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A8	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A9	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A10	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A11	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A12	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A13	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A14	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A15	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A16	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A17	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A18	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A19	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"
A20	RED TILED BRICK	Asplenium platyneuron (L.) Oakes	12'	12"	12"

- (4) Administrative modifications to the landscape requirements.
- An applicant shall have the opportunity to request a modification from these landscape standards when the strict interpretation and/or enforcement of these landscape standards would prevent a property's reasonable development in a safe and efficient manner.
 - A request for the modified standard is reserved for unanticipated situations or specific site constraints and not merely for the convenience of the applicant.
 - The standards shall not be modified on the basis of financial hardship.
 - The acceptable modifications under this provision do not constitute a variance.
 - Any modifications sought by an applicant beyond the limits summarized herein shall require a rezoning request or consideration by the Zoning Board of Adjustment.
 - An applicant requesting a modified standard shall submit a written request at the time of the Site Plan submittal process and shall summarize the modification sought and the reasons for such request.

- g. During the site plan review process, the Planning & Zoning Commission (or the City Council upon appeal) may reduce the width of the landscape buffer by as much as ten (10) feet administratively upon a finding that the strict enforcement of the full landscape buffer requirement would prevent a property's reasonable development in a safe and efficient manner. Additionally, the Planning and Zoning Commission (or the City Council upon appeal) may reduce any development criteria by as much as ten percent (10%) upon a finding that strict enforcement of the landscape requirements would prevent a property's reasonable development in a safe and efficient manner.

5.2.6 Public Art Program:

The purpose of this section is to promote cultural identity, enhance visual character, and integrate art into the built environment. The City of McLendon-Chisholm finds that public art increases community engagement, strengthens economic vitality, and enhances the aesthetic quality of public places.

- (1) Applicability.
 - a. This section applies to all new commercial development, redevelopment, or major renovation projects within the Overlay District located on a lot greater than one (1) acre.
 - b. Projects subject to this section shall comply prior to the issuance of a certificate of occupancy.
- (2) Public Art Requirement. All non-residential developments shall contribute to the City of McLendon-Chisholm's public art program by:
 - a. Installation of public art as per the guidelines contained herein; OR
 - b. Payment into a Public Art fee in lieu of the installation of the public art in an amount equal to 0.5% of the total construction cost of the development; AND
 - c. Dedicating an area for the future public art of no less than 0.1% of the lot area or 1,000 square feet whichever is lesser. City Council may adjust the total area of the public art easement upon a formal request by an applicant. Public Art area location:
 - i. Shall be subject to the approval of the Public Arts Committee, city planning staff, Planning and Zoning Commission and/or the City Council.
 - ii. Shall be located in an area visible from the right-of-way.
 - iii. Shall not be located in a visibility site triangle area.
 - iv. Shall not be encumbered or limited by utility easements.
 - v. Shall be noted on the site plan and a corresponding plat for recordation.
 - vi. Shall have four (4) two-inch (2") electric conduits routed from the electricity transformer and stubbed out to the Public Art area.
 - d. The City Council shall make the final determination as to whether to accept the installation of public art or to accept the fee in lieu of.
- (3) Site Plan – Plat Designations and Notation.
 - a. Any changes to an existing approved site plan for a development located within this district after the effective date of the adoption of this Overlay District, shall require conformance with the standards herein as may be applicable based on the existing zoning.
 - b. Proposed public art area reservation shall be designated on a Site Plan submittal.
 - c. Proposed public art area reservation shall be designated on a Plat as a "Public Art Easement"
- (4) The City Council shall designate a Public Art Committee:
 - a. The Committee can be comprised of any combination of the following:
 - i. City Council Members
 - ii. Planning and Zoning Commission Members
 - iii. General Public
 - iv. City Staff
 - b. The Committee shall be composed as follows:

- i. 3 members
 - ii. Staggering terms of three (3) years
 - iii. City Council shall appoint the chair of committee
 - c. The purpose of the committee shall be:
 - i. Establish public art goals and strategic plan.
 - ii. Establish public art guidelines.
 - iii. Review and approve public art proposals.
 - iv. Administer the public art program and make recommendations to the City Council.
 - v. Prepare an annual report to City Council on the status of the public art program.
 - vi. All expenditures using the Public Arts Fund shall be approved by the City Council.
- (5) Eligible projects may provide public art through:
 - a. On-site installation.
 - b. Combination of installation and/or fee-in-lieu of contribution; or
 - c. Full fee-in-lieu payment to the City Public Art Fund.
- (6) Public Art Guidelines
 - a. Commercial logos or advertising shall not qualify as public art.
 - b. Types
 - i. Sculpture or statues.
 - ii. Murals (paint, mosaic, mixed media).
 - iii. Integrated architectural art.
 - iv. Artist-designed infrastructure.
 - v. Other original visual works accessible to the public.
 - c. Design Standards.
 - i. Artwork shall be site-specific and integrated into project architecture or landscape design.
 - ii. Artwork shall be durable, safe, and designed for long-term public display.
 - iii. Artwork shall enhance the public realm and contribute to placemaking.
 - d. McLendon-Chisholm Public Art Themes
 - i. Within this Overlay District, public art shall reflect or interpret themes associated with Texas heritage and specifically the history of McLendon-Chisholm.
 - ii. These themes may include:
 - 1. City history and local historical figures
 - 2. Regional history or cultural traditions
 - 3. Agricultural or ranching themes
 - 4. Native ecology or landscape
 - 5. Notable Texans or historic events
 - 6. Western, frontier, or transportation themes
 - e. Artist Qualifications.
 - i. Artwork shall be designed and executed by a professional artist or design professional with demonstrated artistic experience
 - ii. City Council may allow alternative artwork which:
 - 1. May not be prepared by a professional artist.
 - 2. May not follow the stated themes described herein.
 - f. Maintenance.
 - i. Property owners shall maintain artwork in good condition.
 - ii. Public Art Fund shall not be eligible for maintenance expenses.

5.2.7 Land Use Spacing Regulations:

The following land uses shall comply with the residential adjacency standards herein:

Land Use	Conditional Land Use Adjacency Provisions
Amusement center, outdoor	1000 feet from any property zoned for residential development
Auto impound lot/wrecker business	1000 feet from any property zoned for residential development
Auto paint and body shop	1000 feet from any property zoned for residential development
Auto repair garage	1000 feet from any property zoned for residential development
Auto service station	1000 feet from any property zoned for residential development
Truck Stops (commercial vehicles)	1,000 feet from any property zoned for residential development
Bail Bonds	1,000 feet from any property zoned for residential development and 2,000 feet from another similar establishment
CBD Retail Stores	1,000 feet from any property zoned for residential development
Convenience Stores (with or without fuel sales) with alcohol sales	1,000 feet from any property zoned for residential development
Game rooms / Arcades	1,000 feet from any property zoned for residential development, schools, day care centers, or public parks
Go cart track and other vehicular track or facility	1,000 feet from any property zoned for residential development
Kennel	1,000 feet from any property zoned for residential development
Massage Parlors	1,000 feet from any property zoned for residential development and 2,000 feet from another similar establishment
Outdoor storage	1000 feet from any property zoned for residential development 2,000 feet from another similar establishment
Pawn Shops	1,000 feet from any property zoned for residential development 2,000 feet from another similar establishment
Payday Lenders / title loan stores	1,000 feet from any property zoned for residential development and 2,000 feet from another similar establishment
Recycling collection center	1,000 feet from any property zoned for residential development
Restaurant, drive-in/drive-thru	1000 feet from any property zoned for residential development
Sexually Orientated Business	1,000 feet from any property zoned for residential development and/or 2,000 feet from any school, day care center, or public parks
Tattoo parlor/body piercing studio	1,000 feet from any property zoned for residential development, schools, day care centers, or public parks 2,000 feet from another similar establishment
Tobacco shop (with greater than 51% of sales related to tobacco products)	1,000 feet from any property zoned for residential development, schools, day care centers, or public parks 2,000 feet from another similar establishment
Shooting range, outdoor	1,000 feet from any property zoned for residential development 2,000 feet from another similar establishment
Vape Stores / Smoke Shops / Hookah Lounges	1,000 feet from any property zoned for residential development, schools, day care centers or public parks 2,000 feet from another similar establishment
Veterinary hospital with outside pens	1,000 feet from any property zoned for residential development

5.2.8 Site Development Standards

The following site design standards shall apply for all non-residential developments within the Overlay District.

- (1) Signs. For safety purposes, the Overlay District shall regulate the number and type of freestanding or pole signs along the corridor.
- a. In addition to its usual definition a “sign” shall be any structure erected for the purpose of advertising or attracting attention to any business or activity.
 - b. The City of McLendon-Chisholm’s sign ordinance shall govern the use, placement, design and or permitting processes for all signs. In addition to the City’s sign ordinance, the following provisions shall apply. Where there may be a conflict between the City’s sign ordinance and the criteria set forth herein, the stricter provision shall prevail.
 - c. Prohibited Signs
 - i. Off-Premise Signs – Billboard Signs shall be prohibited in this overlay district.
 1. For definition purposes of this Section, an “off-premise” sign shall generally be considered a “billboard” sign or a free standing sign which is not associated with the immediately adjacent primary land use and identifies, advertises or attracts attention to a business, product, service, event or activity sold, existing or offered at a different location.
 2. For definition purposes of this Section, a “billboard sign” shall be defined as a commercial sign which meets the following criteria:
 - a. Permanent structure sign which is used for the display of off-site commercial messages
 - b. Permanent structure sign which constitutes a principal, separate or secondary use, as opposed to an accessory use, of the parcel on which it is located;
 - c. Outdoor sign used as advertising for hire; as an example, on which display space is made available to parties, other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel as the sign), in exchange for a rent, fee or other consideration; or
 - d. Off-site outdoor advertising sign on which space is leased or rented
 - ii. Painted or hand marked advertising on windows or buildings shall be prohibited.
 - iii. Flags, inflatable signs, portable signs, trailer signs, spotlights, or other temporary signs shall be prohibited unless a temporary sign permit is approved.
 - iv. Temporary Signs
 1. Shall be allowed as per the City Sign Ordinance.
 2. Shall be limited to one (1) sign per address; however, one (1) additional sign per tenant or unit shall be permitted. Signs associated with tenant occupancy and shall be removed within thirty (30) days following the issuance of the Certificate of Occupancy.
 3. Shall be associated with a valid construction permit, where applicable.
 4. Shall be removed promptly upon the expiration of the temporary permit; any costs incurred by the City of McLendon-Chisholm to

Formatted: Justified

~~remove temporary signs shall be the responsibility of the permit holder.~~

~~4. Shall be associated with a valid Certificate of Occupancy~~

~~5. Shall be removed promptly upon the expiration of the temporary permit; any costs incurred by the City of McLendon-Chisholm to remove temporary signs shall be the responsibility of the permit holder.~~

Formatted: Font: (Default) Times New Roman

- d. Building Signs.
 - i. Signs affixed to individual buildings, suites or demised premises shall be subject to and conform with the City's Sign Ordinance.
 - ii. Painted or hand marked advertising on windows or buildings shall be prohibited.
 - iii. Any free standing signs on the site, not affixed to the building, shall be considered a "Monument Sign" and shall conform to the criteria herein.
- e. Real Estate signs and real estate directional signs shall be allowed as per the City's Sign Ordinance.
 - i. A "real estate sign" shall be defined as a temporary sign that is located on the same lot as it is advertising, with the sole purpose of advertising that particular property for sale, for rent, or for lease.
 - ii. A "real estate directional sign" shall be defined as a temporary sign that is located on the same lot as it is advertising; with the sole purpose to direct the public to a particular property or properties for purposes of sale, rent or lease.
- f. Monument Signs.
 - i. Multi-tenant non-residential development shall collocate freestanding signs into a cohesive monument sign on the overall property.
 - ii. The number of monument signs allowed on a property shall be consistent with the number of driveway access points to an adjacent right-of-way allowed on the property.
 - iii. A monument sign shall be dimensioned as such:
 - 1. No greater than six (6) feet in height from the footer at grade
 - 2. No greater than fifteen (15) feet in width of the structure
 - 3. Maximum sign face of sixty (60) square feet per side of actual signage
 - iv. Each monument sign shall be designed by a structural engineer according to the City's approved and adopted International Building Code.
 - v. Each monument sign shall include the following:
 - 1. Site Address: letters and numbers shall be between 4 and 8 inches in height
 - 2. Total number of slots or slats available per monument sign shall be the sum of the total number of suites plus four (4) per monument sign. The additional slots or slats are for possible expansion.
 - 3. Approved, or as amended in the future, City of McLendon-Chisholm Logo and slogan shall be incorporated into each monument sign banner.
 - a. Logo shall be no greater than eight inches (8") in diameter.
 - b. Logo may be incorporated into the slats / slots
 - c. Logo may be placed on the monument sign frame

- d. Logo specifications shall be provided by the City and may change from time to time.



- vi. All sign electrical equipment and structural supports shall be enclosed and secured with exterior finishing materials to be consistent with the exterior finishing material of the main building.
 - vii. Shall be constructed with exterior finishing materials similar to those of the main associated building structure.
 - g. Sign Lighting.
 - i. Backlit signs within a monument sign shall be permitted with the following conditions:
 1. Property owner shall be responsible for the adherence to these provisions.
 2. Violations of these provisions shall be considered a violation of the City's Ordinances and shall be subject to fines and/or revocation of a Certificate of Occupancy.
 3. Monument sign lighting shall be set to turn off by no later than 11:00 p.m. Sunday – Thursday and midnight Friday – Saturday. Sign lighting shall be on a timer and shall be consistent with the normal hours of operation of the associated business. The intent of this provision is to limit the amount of light pollution during non-business hours. Select businesses (i.e. emergency care, fuel sales, etc.) may request an exemption from this standard.
 - ii. Directional lighting shall be allowed under the following conditions:
 1. Property owners shall be responsible for adherence to these provisions.
 2. Violations of these provisions shall be considered a violation of the City's Ordinances and shall be subject to fines and/or revocation of a Certificate of Occupancy.
 3. No lighting shall be pointed or directed towards a right-of-way
 4. There shall be no more than one (1) foot candle spillover at the property line as measured three (3) feet from the natural grade.
 5. The average foot candle across a commercial site shall not exceed five (5) foot-candles as measured at four and one-half feet from natural grade.
 - h. Site Plan – Plat Designations and Notation.
 - i. Any changes to an existing approved site plan for a development located within this district after the effective date of the adoption of this Overlay District, shall require conformance with the standards herein as may be applicable based on the existing zoning.
 - ii. Proposed monument signs shall be designated on a Site Plan submittal.
 - iii. Proposed monument signs shall be designated on a Plat as a "Sign Easement"
- (2) Cross Access. For safety purposes and traffic access management purposes, the Overlay District shall regulate the access and circulation of non-residential developments.

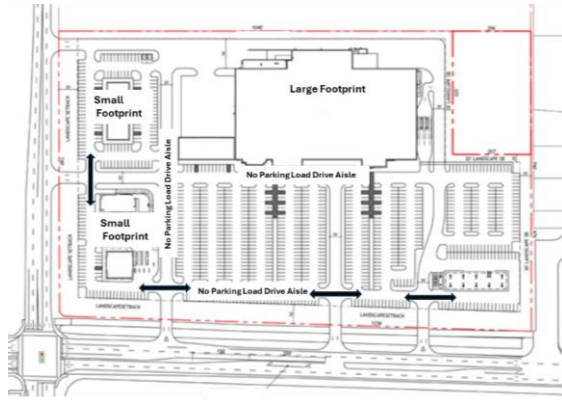
- a. All non-residential developments shall be required to provide cross access from a non-residential development to an adjacent non-residential development in order to limit the number of driveway openings and thereby limiting local vehicle trips from congesting SH 205.
- b. Site Plan – Plat Designation and Notation.
 - i. Any changes to an existing approved site plan for a development located within this district after the effective date of the adoption of this Overlay District, shall require conformance with the standards herein as may be applicable based on the existing zoning.
 - ii. Cross-access shall be required on all non-residential development adjacent to other non-residential developments (existing or future).
 - iii. Cross-access shall be noted on a proposed Site Plan as a connection to an existing development or as a stub-out to future development.
 - iv. Cross-access shall be designated on a plat as a “Fire Lane, Access and Utility Easement”
 - v. Fire lanes shall be consistent with the International Fire Code as adopted or amended by City Council. At a minimum, fire lanes shall be defined as:
 - 1. Thirty feet (30’) wide with a twenty foot (20’) radius measured from curb return to curb return; OR
 - 2. Twenty-four feet (24’) wide with a thirty foot (30’) radius measured from curb return to curb return; or
 - 3. Twenty-six feet (26’) wide for all buildings two (2) stories or taller, in which case, the fire lane shall be located at least fifteen feet (15’) but no further than thirty feet (30’) feet from the front face of the structure along one of the long sides of the structure.
 - 4. All points of a building shall be within one-hundred fifty feet (150’) (hose lay length) to a fire lane as determined by the Fire Marshal / Fire Chief of the City of McLendon-Chisholm. The Fire Marshal / Fire Chief of the City of McLendon-Chisholm may allow a hose lay length of up to two-hundred feet (200’).
- c. Cross-access connections shall be required as follows:
 - i. Shall be required from non-residential development to all adjacent non-residential developments (current or future).
 - ii. Shall be required to be identified on a Site Plan and all associated plats and constructed by the applicant to the property line in such a manner as to allow an adjacent development to connect into the cross-access connection without requiring additional permission or easements from the original applicant.
 - iii. Shall be appropriately striped as a fire lane (see fire lane definitions previously).
 - iv. If the adjacent property is not yet developed, the City Engineer shall determine the type of barriers required to indicate a “no through traffic” cross access connection. Appropriate barriers may include:
 - 1. “No Thru Traffic”, “Dead End” or similar type signs
 - 2. Type I, II or III barricades (in ground or on sleds)
 - 3. Traffic barrels
 - 4. Construction barriers
 - 5. Other as approved by the City Engineer
 - v. Cross-access fire lanes

1. Shall be dimensioned as a fire lane if required by the Fire Marshall / Fire Chief and/or the City Engineer. Dimensions shall follow the criteria previously defined.
2. Pavement standards for fire lane cross access connections:
 - a. Concrete thickness: Six inches (6")
 - b. Concrete strength:
 - i. Four thousand (4,000) pounds per square inch (psi); OR
 - ii. Dust free, all weather surface, with sufficient strength to support a proposed load of a two (2) axle vehicle capable of withstanding a 75,000 lb. fire apparatus
 - c. Steel Reinforcement: #4 rebar on twenty-four inch (24") centers on concrete chairs
 - d. Base course thickness:
 - i. Six inches (6")
 - ii. Lime stabilization; OR
 - iii. Cementitious stabilization
 - iv. Following geotechnical report (to be submitted to the City Engineer as part of the Civil Engineering construction plans)

(3) Solid Waste Dumpsters

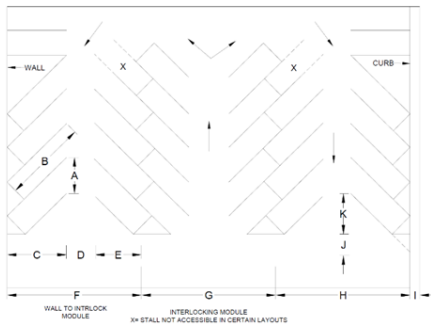
- a. All non-residential developments shall be required to provide solid waste dumpsters and dumpster enclosures
- b. All dumpsters shall be screened as follows:
 - i. Exterior finish material shall be consistent with the exterior finishing material of the associated primary structure of the commercial development.
 - ii. The gate for the dumpster enclosure shall be a solid metal gate to be painted or powder coated.
 - iii. The gate shall have a closing latch or other system to insure that the gate is closed when not in use.
 - iv. The height of the dumpster enclosure shall be at least two feet (2') taller than the dumpster.
 - v. The width of the dumpster enclosure shall be at least three feet (3') wider on all sides than the dumpster.
 - vi. Vegetative screen shall be provided on outside on three sides and consist of evergreen shrubs that will grow at least ten eight (8') in height.
- c. Dumpster enclosure shall include:
 - i. Concrete thickness: Eight inches (8")
 - ii. Concrete strength: Five thousand (5,000) pounds per square inch (psi)
 - iii. Have a permanent water source with a shut off valve
 - iv. Have a slatted drain/ grate inlet connected to an enclosed stormwater system
 - v. At least one (1) security pole light or wall pack light with a photocell or motion sensor.
 - vi. Protective bollards adjacent to any firelane, on-site access and circulation routes.
 - vii. Signage
 1. No parking in front of gate

- 2. No storage of flammable material
 - 3. City shall provide sign criteria
 - d. Dumpster Placement
 - i. Dumpsters shall not be placed within one-hundred feet of a residential development or property zoned for residential development.
 - ii. Shall have a clear path of at least forty feet (40') back up area which is not in conflict with any parking space or structure.
 - iii. Shall be situated at a forty-five degree angle from the approaching access.
 - e. Site Plan – Plat Designations and Notation.
 - i. Any changes to an existing approved site plan for a development located within this district after the effective date of the adoption of this Overlay District, shall require conformance with the standards herein as may be applicable based on the existing zoning.
 - ii. Dumpsters and dumpster enclosures shall be designated on a Site Plan submittal.
- (4) Multi-lot Development Standards. For safety purposes, the Overlay District shall regulate the building orientation, parking, pedestrian and vehicular site circulation for multi-lot non-residential developments with multiple lots, buildings and/or larger footprint developments.
- a. Building Orientation. Building orientation for multi-lot non-residential developments shall conform to the following criteria:
 - i. Larger footprint buildings, over twenty thousand (20,000) square feet, shall be set back from the right-of-way providing sufficient area between the building(s) and the right-of-way for either parking for the main building or for the development of smaller footprint buildings on individual lots.
 - ii. Smaller footprint buildings, under twenty-thousand (20,000) square feet, shall be within one-hundred fifty feet (150') of the right-of-way.
 - iii. Longest side of the building shall be parallel to the adjacent right-of-way from which the building is addressed.
 - iv. Where a building is located on a corner of two major arterials or there exists other site constraints, the building's longest side shall be orientated parallel to the right-of-way corresponding to the building's address.



- b. Parking Field Standards. Parking lot designs for multi-lot nonresidential developments shall conform to the following criteria:
- i. Texas Accessibility Standards and the Americans with Disabilities Act (ADA) parking requirements:
 1. All commercial developments shall adhere to both the TAS and ADA standards.
 2. Where there may be a conflict between TAS or ADA standards, the stricter standard shall prevail.
 3. TAS/ADA parking spaces shall be located adjacent to the main doors of the building.
 4. TAS/ADA accessible routes shall be clearly designed and striped.

c. Parking lot design shall follow the following criteria.



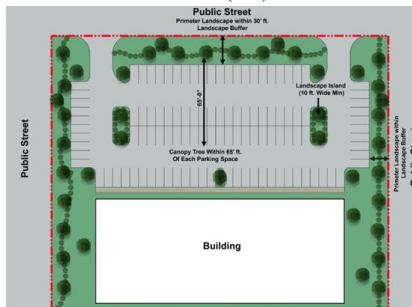
STALL LAYOUT ELEMENTS				
Element	On Diagram	45°	60°	75° 90°
Stall width parallel to aisle	A	12.7	10.4	9.3 9.0
Stall length of line	B	25.0	22.0	20.0 18.5
Stall depth to wall	C	17.5	19.0	19.5 18.5
Aisle width between stall lines	D	12.0	16.0	23.0 26.0
Stall depth, interlock	E	15.3	17.5	18.8 18.5
Module, wall to interlock	F	44.8	52.5	61.3 63.0
Module, interlocking	G	42.6	51.0	61.0 63.0
Module, interlock to curb face	H	42.8	50.2	58.8 60.5
Bumper overhang (typical)	I	2.0	2.3	2.5 2.5
Offset	J	6.3	2.7	0.5 0.0
Setback	K	11.0	8.3	5.0 0.0
Cross aisle, one-way	L	14.0	14.0	14.0 14.0
Cross aisle, two-way	M	24.0	24.0	24.0 24.0

- d. Pedestrian Accommodations
- i. Access Easements
 1. Shall be required for parking lots with more than forty (40) parking spaces in a perpendicular row to the main building.

- a. At least one pedestrian route shall be required.
 - b. Shall be at least eight feet (8') wide raised pedestrian access way with six-inch (6") curbs located between two adjacent head in parking rows perpendicular to the main building; OR
 - c. Shall be designated as a six foot (6') sidewalk perpendicular to the main building.
2. Shall include barrier free ramps (BFR's) according to the TAS/ADA.
- ii. Shopping cart corral
 1. Retail developments with shopping carts shall require shopping cart corrals.
 2. Shopping cart corrals shall be installed at the rate of 1 corral per 100 parking spaces.
 3. Shopping cart corrals shall be distributed throughout parking field
 4. Design Criteria:
 - a. Width: minimum ten feet (10')
 - b. Length: minimum fifteen feet (15')

iii. On-site trees

1. A canopy tree shall be provided at the end of every parking row
2. A canopy tree shall be provided so that every parking space is within sixty-five feet (65') of a tree.
3. A canopy tree shall be provided for every seven (7) parking spaces. Trees required for this provision may be installed throughout the site but shall not be counted towards the required street trees.
4. Every canopy tree located in a paved area shall be in a landscape island with a dimension of at least one-hundred eighty square feet.



e. Vehicular circulation

- i. For parking lots with more than one-hundred (100) parking spaces, internal access and circulation routes shall be provided with no direct parking.
- ii. Site visibility triangle criteria shall apply for all internal vehicular drive aisles, drive aisles intersections, driveways, placement of monument signs and other site features
- iii. Stacking depths may be required as part of the site plan review process to insure pedestrian and vehicular safety.
- iv. City may require traffic signs, speed bumps or other traffic calming devices as part of the site plan review process to insure pedestrian safety.

5.2.9 Variances and Appeals.

The Applicant may request a variance of any of the Site Development Standards based on a bona fide hardship. Variance requests shall be processed through and considered by the Zoning Board of Adjustments.

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, AMENDING THE CITY'S ZONING ORDINANCE BY AMENDING ARTICLE 5, "SPECIAL DISTRICTS," SECTION 5.2, "STATE HIGHWAY 205 OVERLAY DISTRICT," RELATED TO TEMPORARY SIGN REGULATIONS; PROVIDING FOR CONFLICTS, VARIANCES, ENFORCEMENT, PENALTIES, AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of McLendon-Chisholm, Texas, is authorized under Chapter 211 of the Texas Local Government Code to adopt and amend zoning regulations to promote the public health, safety, morals, and general welfare of the community; and

WHEREAS, the City Council previously adopted Section 5.2, "State Highway 205 Overlay District," on February 24, 2026 (Ordinance 2026-06), to establish additional development standards along the State Highway 205 corridor; and

WHEREAS, the City Council finds it necessary to amend certain provisions of Section 5.2 related to temporary signage to provide clarity and ensure consistency with the City's development objectives; and

WHEREAS, the Planning and Zoning Commission reviewed the proposed amendment and recommended its approval in accordance with applicable law; and

WHEREAS, the City Council published notice and conducted public hearings in compliance with the Zoning Ordinance and State Law, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council finds that the proposed amendment is in the best interest of the City and its residents

NOW, BE IT THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS:

SECTION 1. That Article 5, “Special Districts,” Section 5.2, “State Highway 205 Overlay District,” of the City of McLendon-Chisholm Zoning Ordinance is hereby amended as set forth in Exhibit “A”, attached hereto and incorporated herein for all purposes. Such amendment is limited to revisions to temporary sign regulations within the overlay district.

SECTION 2. All other provisions of Section 5.2 not expressly amended herein shall remain in full force and effect.

SECTION 3. The regulations contained within Section 5.2 shall continue to supplement, and not replace, the regulations of the underlying base zoning districts. Where conflicts exist, the more restrictive regulation shall control.

SECTION 4. Requests for variances from the standards established in Section 5.2, as amended, shall be processed in accordance with the procedures and authority of the City’s Board of Adjustment, as provided in the Zoning Ordinance and state law.

SECTION 5. Any person violating any provision of this ordinance or the regulations adopted herein shall be subject to enforcement and penalties as provided in the Zoning Ordinance, including fines not to exceed Two Thousand Dollars (\$2,000.00) for each offense, with each day constituting a separate offense.

SECTION 6. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

SECTION 8. The Recitals to this ordinance are incorporated herein as if fully recited.

SECTION 9. This ordinance shall take effect immediately upon adoption and publication as required by law.

DULY PASSED by the City Council of the City of McLendon-Chisholm, Texas, on this the 12th day of May 2026.

APPROVED:

Jerry Brewer, Mayor

ATTEST:

Angela Jennings, City Secretary



City of McLendon-Chisholm
Staff Report

Date: May 12, 2026

Agenda Item: Discuss and consider an ordinance amending Chapter 3, "Building Regulations," Article 3.05 "Signs," by amending Section 3.05.020 "Wall Signs" to establish standards for building mounted signs within nonresidential zoning districts.

Background:

As the City continues to experience growth along key corridors such as SH 205 and FM 550, there is an increasing need to establish clear and consistent standards for building-mounted signage within non-residential areas. The existing ordinance addresses general construction requirements for wall signs but does not provide guidance on proportional sizing, placement, or visibility relative to roadway frontage. The proposed amendment provides a uniform framework for staff and applicants when reviewing and proposing signage.

This proposed update adds frontage-based standards tied to major roadways to help ensure signage is appropriately sized and consistent across developments. It also helps prevent over-signage, keeps things from looking cluttered, and provides clearer direction for both staff and developers regarding sign placement. The overall objective is to maintain a cohesive and high quality visual environment along the City's commercial corridors as development continues.

Options/Alternatives:

1. City Council may approve the Ordinance, as presented.
2. City Council may deny the Ordinance.

Recommendation:

Staff recommend approval of the Ordinance, as presented.

Attachments:

- Ordinance

Presenter: Peyton Sherman, City Planner

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY OF MCLENDON-CHISHOLM, TEXAS, AMENDING CHAPTER 3 “BUILDING REGULATIONS,” ARTICLE 3.05 “SIGNS,” BY AMENDING SECTION 3.05.020 “WALL SIGNS” TO ADD REGULATIONS FOR BUILDING-MOUNTED SIGNS WITHIN GENERAL BUSINESS ZONING DISTRICT; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of McLendon-Chisholm seeks to ensure high-quality development and consistent signage standards within its non-residential zoning districts; and

WHEREAS, the City Council finds that building-mounted signage should be regulated to promote aesthetic quality, protect public safety, and maintain corridor integrity along major thoroughfares; and

WHEREAS, the City Council desires to amend Section 3.05.020 “Wall Signs” to include additional standards applicable to building-mounted signs within the General Business zoning district;

NOW, BE IT THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS:

SECTION 1.

Amendment to Section 3.05.020 – Wall Signs

Section 3.05.020 “Wall Signs” of Chapter 3, Article 3.05 is hereby amended to read as follows:

“... ”

§ 3.05.020 Wall Signs

(a) Wall signs shall be constructed entirely of incombustible materials except that nonilluminated wall signs may have frames, stiffeners, moldings, and cut-out letters of wood when such letters have not less than two points of attachment.

(b) Neon tubing, when placed directly on the face of an exterior wall, shall not be less than nine (9) feet above the grade immediately below.

(c) Building-Mounted Signs (General Business)

(1) Applicability

This subsection shall apply to all building-mounted signs for non-residential uses located within the General Business zoning district.

(2) Frontage Classification

Each building face shall be assigned one (1) primary frontage based on orientation and visibility, as follows:

- Primary Facing SH 205
- Primary Facing FM 550

The primary frontage shall be the building elevation most visible from the adjacent roadway and oriented toward the primary vehicular access or main entrance, as determined by the City Manager or designee.

(3) Maximum Sign Area

A. Primary Facing SH 205

Maximum sign area shall not exceed 1.25 square feet per one (1) linear foot of building face, not to exceed fifty-five (55) square feet.

B. Primary Facing FM 550

Maximum sign area shall not exceed 0.75 square feet per one (1) linear foot of building face, not to exceed fifty-five (55) square feet.

(4) General Standards

1. Only one (1) primary frontage classification shall apply per building face.
2. A building or tenant space shall not utilize more than one frontage classification to calculate allowable sign area.
3. One (1) building-mounted sign shall be permitted per building face.
4. Maximum sign area shall apply per building face and shall not increase based on number of tenants or occupancy configuration.
5. Buildings with frontage on multiple roadways shall not combine or stack frontage classifications to increase allowable sign area.
6. Signage shall be placed on the primary frontage elevation as determined by the City Manager or designee.
7. Placement of signage on secondary or side elevations for the purpose of increasing visibility from a higher-classified roadway is prohibited.

8. Where a conflict exists between roadway classification and site orientation, priority shall be given to the elevation serving the primary customer-facing entrance.
9. Secondary elevations shall not include building-mounted signage unless expressly permitted elsewhere in this Code.
10. No individual sign shall exceed fifty-five (55) square feet per building face.
11. Building-mounted signs shall not project more than twelve (12) inches from the face of the wall to which they are attached.

(5) Definitions

Building Face

The horizontal linear width of an individual tenant space or single occupancy measured along the exterior wall of the primary frontage. For multi-tenant buildings, each tenant space shall be considered a separate building face.

Sign Height

The vertical distance measured from finished grade at the base of the building elevation directly below the sign to the highest point of the sign.

Distance to Right-of-Way

The shortest horizontal distance from the nearest point of the sign or building face to the adjacent public right-of-way line.

Sign Area

The total area within the smallest rectangle enclosing all elements of the sign, including letters, logos, and symbols.

(6) Interpretation

In the event of ambiguity regarding frontage classification or application of these standards, the City Manager or designee shall make the final determination consistent with the intent of this section.

...”

SECTION 2. REPEALER

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of such

SECTION 3. SEVERABILITY

If any portion of this ordinance is held invalid, such holding shall not affect the remaining portions.

SECTION 4. PENALTY

Any person, firm, or corporation who violates this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined a sum not less than one hundred dollars (\$100.00) and not to exceed five hundred dollars (\$500.00) for each offense. Each day a violation continues shall constitute a separate offense.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect immediately upon adoption and publication as required by law.

DULY PASSED by the City Council of the City of McLendon-Chisholm, Texas, on this the 12th day of May 2026.

APPROVED:

Jerry Brewer, Mayor

ATTEST:

Angela Jennings, City Secretary