

New Business Guide

Southlake, Texas

Corner Bakery



Drexel Heritage



Home Depot



Cafe Express



Southlake Town Square



Costco Wholesale



Hobby Lobby



Georgetown Park



Verizon Wireless



Sabre



Solana

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Welcome to the City of Southlake, Texas

This new business guide has been prepared by the City of Southlake Department of Economic Development.

This guide provides assistance to prospective Southlake businesses, whether they are new, expanding, or relocating. It contains general information regarding the essential steps in creating a business, with special emphasis on factors and references relevant to Southlake and the Dallas/Fort Worth Metroplex.

To date, over 1,800 operate in Southlake, specializing in service, retail, and construction, among others. Almost 50 percent of these businesses are home-based.

This publication is one source, among many, that provides important information on starting and operating a business. Referencing other publications and qualified organizations and specialists is highly recommended, as they are essential resources.

While normally reliable sources were used to gather this information, the City cannot guarantee the accuracy of the information presented.

Special thanks to the Southlake Chamber of Commerce's Business & Community Development Committee for their time and contributions to this publication:

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Starting a business involves many steps that must be analyzed before the initial venture can begin. The following questions provide a summary of issues to address when considering the start of a business.

Questions to Answer Prior to the Start of a Business

1. Have you written a description of the products and/or services you'll provide, and defined the market area you're going to serve, including appropriate location?
2. Have you written a business plan, defining short-term goals, long-term goals, and overall objectives, while taking into consideration personal and professional background, including management experience?
3. Have you written a financial plan, including projected profit and loss statements and cash flow statements for a period of at least two years? This plan should address three scenarios: worst case, expected case, and best case.
4. Have you outlined financial requirements for start-up costs and three cash flow projections for at least two years?
5. Have you secured financial backing for start-up costs and the worst-case projection for at least two years?
6. Have you thoroughly studied the market, developing a sales strategy, a target market, and an advertising budget?
7. Have you studied the regulations affecting the business, such as zoning, and state and local licensing requirements?
8. Have you determined the best legal structure for the business?
9. Have you selected an attorney, accountant, banker, and/or insurance agent, as a source of expert advice?

If unable to answer "Yes" to all of the above questions, you may not be ready to begin a new business. Make sure that all of the factors are addressed and included in the business plan.

Source: The Business Press, week of May 16, 1997.



A business plan reflects the amount of thought and preparation put into the business concept and demonstrates one's knowledge of his or her proposal. Not only is it a comprehensive guide used to direct a new business, but it is probably the single most important factor in determining if one can obtain funds for his/her proposal.

This guide will cover a few of the basics necessary for developing a business plan, but other sources are highly recommended.

1. Determine market factors.
 - a) Who is the target market?
 - b) What is the sales potential?
 - c) How will you attract and sell to your customers?
 - d) Are there numerous suppliers?
2. Define your buying plan.
 - a) From whom will you buy?
 - b) On what terms will you be able to buy?
 - c) Is any existing inventory unable to sell?
3. Analyze inventory.
 - a) What do you already have on hand?
 - b) What is on order?
 - c) What has been sold?
4. Organize work responsibilities.
 - a) Who is responsible for doing what?
 - b) What are the job descriptions of each position, and how many of each position will be required?
 - c) What jobs and information can be best organized with a computer?
5. Determine financial needs.
 - a) What are your start-up costs?
 - b) How much are you willing to commit?
 - c) What are your operating expenses?
 - d) Will sales provide enough income for timely payment of bills?
 - e) What are your cash-flow requirements for the next three years?
6. Determine sources of capital.
 - a) Commercial banks
 - b) Trade creditors and equipment manufacturers
 - c) Small loan companies, commercial credit companies, sales finance companies, and insurance companies
 - d) Small Business Administration loans
 - e) Leasing companies
 - f) Venture capital groups
7. Determine control and feedback factors.
 - a) Monthly financial statements
 - b) Monthly accounts receivable and payable aging reports.
 - c) Inventory, sales, and disbursements statements
 - d) Break even projections
 - e) Website Statistics if Applicable

Source: Business Resource and Filing Guide, The Arlington Chamber.



There are tax and legal implications to the various business structures. An attorney, Certified Public Accountant (CPA), banker, or financial advisor can provide guidance on the best structure based upon your needs. The Small Business Administration (www.sba.gov) offers several in-depth pamphlets on the subject. The following are brief explanations and considerations for each type.

Sole Proprietorship

1. Only one person owns and operates the business.
2. Most common type of business structure.
3. Easiest to form and operate.
4. Advantages: few legal controls; flexibility of management; and profits are taxed as income of the individual.
5. Major disadvantage: all losses and liabilities are assumed by the same individual, which may extend to his or her personal property.

General Partnership

1. Two or more persons agree to contribute money, labor, and/or skills to a business and share in its profits, losses, and management.
2. Each partner is individually responsible for total partnership debts and liabilities in the event the other partners are unable to pay.
3. The partnership can be oral or written, however, a written agreement is recommended, as it is more binding.
4. The term "partnership" has been defined liberally by the courts.

Limited Partnership

1. Comprised of one or more general partners who manage the business and share full liability, and one or more limited partners who share in the profits but whose liability is limited to the extent of their investment.
2. Limited partners may take no part in running the business; the filing of a Certificate of Limited Partnership with the office of the Secretary of State is required.

Corporation

1. A legal entity made up of persons having a charter recognizing the corporation as a separate entity with its own rights, liabilities, and privileges.
2. An individual who is the sole owner of a corporation will have separate tax and financial responsibilities for himself and for the corporation.
3. In Texas, Articles of Incorporation for the entity must be filed with the Texas Secretary of State's Office. Refer to Appendix A - State and Federal.

Limited Liability Company

1. A legal entity formed by filing Articles of Organization with the Texas Secretary of State's Office. Refer to Appendix A - State and Federal.
2. Owned and operated by one or more members and/or managers who have limited liability for the obligations of the business.
3. Flexible structure can provide tax advantages over a corporation; less formality is required than for a corporation.

Source: How to Start a Business in the City of Dallas - The Sourcebook, Greater Dallas Chamber, 2000.



Home based businesses will need a 'Home Occupation Certificate of Occupancy' form. This form (as well as most forms related to the city) are found on the cities website (www.ci.southlake.tx.us).

The following approval process is required for all home based businesses.

1. Visit the city website and select 'Forms and Applications' (www.ci.southlake.tx.us). Select the 'Building Services' tab and follow 'Building Applications/Permits' to the 'Home Occupation Certificate of Occupancy' form.
2. Submit application form to Building Services Department in person or by fax (817) 748-8241.
3. The Plans Examiner will review the information for zoning compliance. The Operations Assistant will process permit and notify applicant when the permit is available to pick up.
4. Applicant picks up permit and remits application fee.
5. Applicant requests necessary inspection by phone (817) 748-8214.
6. Upon approval, the Building Official will issue a Certificate of Occupancy.

Section 4, Zoning Ordinance No. 480, as amended

HOME OCCUPATION - An occupation wholly within a dwelling unit provided that:

1. No person other than members of the family residing on the premises shall be engaged in such occupation;
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one square foot in area, non-illuminated, and mounted flat against the wall of the principal building;
4. No home occupation shall be conducted in any accessory building;
5. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard;
6. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises;
7. Home occupation uses shall not include beauty culture schools, barber and beauty shops, medical or chiropractic offices, or other uses of a similar nature and character.

**Hiring Employees**

Hiring additional employees is a major step in starting a small business. Some business owners look to defer the burden of unemployment, Medicare and Social Security taxes and administration by using independent contractors in lieu of additional employees. Too often, the label of "independent contractor" does not stand up to legal challenge and may place the employer at risk for an IRS audit or potential lawsuits. If you are considering using independent contractors, you should consult your legal counsel and accountant first. The IRS uses these common-law factors to determine whether a worker is an independent contractor or a regular employee:

The IRS 20-Factor Test

1. Instructions - An employer should not tell an independent contractor how to do a job.
2. Training - An employer should not provide substantial training for an independent contractor.
3. Integration - An independent contractor should not be hired to provide a service that is an essential part of an employer's business.
4. Personal Services - An employer should not insist that the work be performed by the contractor rather than someone that the contractor might hire.
5. Assistants - Independent contractors control and pay their assistants.
6. Length of Relationship - Independent contractors should not have a continuing relationship with an employer unless there are multiple contracts.
7. Work Hours - An independent contractor usually determines the hours worked to complete a job.
8. Amount of Work - An independent contractor should not be told to work full-time for an employer if that would prevent the contractor from doing other work.
9. Location - Unless the services can be performed only in one location, an independent contractor chooses where to do the work.
10. Sequence of Work - Independent contractors determine the order in which they accomplish their tasks.
11. Reports - Independent contractors should not be required to produce interim reports.
12. Payment - Independent contractors are paid for the results of their work, not for the time worked.
13. Expenses - Independent contractors are responsible for their business expenses.
14. Tools - Independent contractors typically provide their equipment and tools.
15. Investment - An independent contractor has a significant investment in his business, such as a home office.
16. Profit - Independent contractors can realize profits and incur losses.
17. Multiple jobs - Independent contractors can work for more than one employer at the time.
18. Availability - Independent contractors make their services available to the general public.
19. Termination - Independent contractors cannot be fired at will, as can employees.
20. Liability - Independent contractors are liable for failure to complete a job.

Source: HR Magazine, June 2001, Vol 46

**When hiring employees, your new hire packet should include:**

1. An offer of employment and/or employment contract
2. W-4/W-9 form
3. Immigration and Naturalization Service (INS) form I-9
4. A form to list emergency contacts for the employee
5. Insurance information and enrollment forms
6. Employee handbook

The employee handbook is an important component of your business that sets company policies on working hours, dress code, vacation, sick leave, holidays and performance reviews. There are inexpensive templates available on the Internet that can be downloaded and customized for your employee handbook.

Compensation can take the form of:

1. Wages - payment for services rendered on an hourly, daily or piece basis.
2. Salary - compensation paid out on a weekly, bi-weekly, semi-monthly or monthly basis.
3. Commission - payment based on sales performance.
4. Contract Labor - payment to an independent contractor for services rendered.

Before setting pay scales, survey similar jobs within the industry. Establish a pay range for each position, i.e., a starting rate and a maximum rate. Be aware that the IRS will look closely at payments for contract labor to insure that they are not actually disguised compensation to employees.

There are several methods of handling the business payroll:

1. Manual - the owner/manager calculates the amount due and writes the checks.
2. In-house - use a commercially developed payroll software package to compute payroll on an in-house personal computer.
3. CPA - contract with a CPA to handle payroll.
4. Service agency - contract with a service company that calculates payroll, prepares checks, and provides necessary reports.



Employer ID Number

A business must have an Employer ID number to receive credit for Federal Income Tax withholdings, FICA, and Federal Unemployment taxes. An Employer ID number can be obtained by contacting the IRS. Refer to Appendix A - State and Federal for resource information.

A rule of thumb is 12-15% of the total amount paid in wages is necessary to cover the various taxes and compensation costs.

Benefits

Employee benefits can make the difference in attracting and retaining key employees. The decision to offer benefits, however, should not be made lightly as a benefit program plan is an inflationary overhead expense for an employer. Benefits might not be a factor for potential employees in some fields, but would play a greater role in competition for professional white-collar employees.

Benefits given to employees beyond their base compensation may include:

- | | |
|--|---------------------------------|
| 1. Bonuses | 7. Child Care |
| 2. Health / Dental or Optical Insurance | 8. Paid Vacation |
| 3. Profit Sharing | 9. Stock Options |
| 4. Car Allowance / Mileage Reimbursement | 10. Disability / Life Insurance |
| 5. Paid Holidays / Sick Leave | 11. Pension Plan |
| 6. Retirement Plan | 12. Tuition Assistance |

The foundation of an employee benefit plan is group health insurance. The insurance carrier sets the employer's contribution level, but the minimum contribution level falls between 50% to 75% of the employee-only premium. Small employers (2-50 employees) have guarantee-issue of health insurance coverage for any insurance carrier admitted to issue small group plans in Texas. Most plans in the Dallas / Fort Worth area utilize either an HMO or PPO network.

Group life insurance, dental insurance, and disability can be offered as either employer-paid or voluntary benefits. Your insurance broker can assist you in designing an employee benefit program to fit the needs and budget of your business.

Small and / or new businesses are cautioned against incorporating benefits too liberally or too early.

Source: How to Start a Business in Dallas, Small Business Resource Council.



Experts state that the most important component of financing a new business is obtaining the necessary capital for start-up and operating costs during the business's infancy. The most important question a lender must determine, is whether a borrower will be able to repay the loan.

Lenders, such as banks, generally require a written business plan, including a formal financial plan. No matter the format, the financial plan should include at a minimum:

1. A repayment plan
2. Personal financial statement
3. Projection of future income (revenue) and expenses
4. Balance-sheet
5. Start up costs
6. Monthly cash flow statements for the next 12 to 24 months
7. Break-even analysis

For the purpose of a loan application, a business plan should also include:

1. Description of the business
2. Personal profile
3. Collateral

These plans should be realistic and should include explanations on how the numbers were calculated. Finally, by learning a lender's business practices, an applicant is able to customize a presentation to fit the lender's criteria.

To obtain a loan, an applicant should be of "good character," demonstrate an ability to operate the business, and have sufficient capital to operate the business in a sound financial manner when the loan is approved. To reiterate, consult an accountant, attorney, or financial planner for assistance and advice.

The Small Business Administration (www.sba.gov) is one player involved in programs providing start-up capital for new businesses. Contact an SBA representative to discuss specific programs, procedures, and policies.

Points to Remember:

1. The SBA guarantees loans submitted and made by financial institutions. The SBA does not make loans, nor does the SBA have a "grant" program for starting a business.
2. The SBA does not become involved in the process until the loan paperwork has been submitted to the bank, and the lender forwards the paperwork to the SBA. If the SBA approves your loan guaranty, the bank will close the loan and distribute your funds.
3. The SBA guidelines include maximum loan amounts, capital contribution, required collateral, type of industry, loan terms and permitted use of funds.



If an applicant meets the SBA general requirements, the SBA will provide guarantee assistance. It is not a policy of the SBA to accept only a certain percentage of applications.

The following are the most typical sources of capital for new businesses:

Banks

Most common source. Each bank differs in its requirements of the borrower, and requirements may change dependent upon the amount requested. Generally, a loan of any size will require collateral greater than the amount of the loan, so the bank may sell the collateral and recover its loss in the event the debt is not repaid. Again, attempt to learn the lending criteria in advance, and be prepared with the business plan and any additional related material for support. If denied by a bank, one must be informed of the reasons.

Money Brokers

May be an individual or a large company. Money brokers make their living by knowing where and how to get money for investment purposes. Some brokers charge for packaging the deal, others charge a fee if the loan goes through, and others may require a percentage of ownership of the business. Consult an accountant, attorney, or financial advisor for advice; be sure to check references and track record.

Limited Partnerships and Corporations

Family or friends may be willing to provide funds in exchange for an interest in a limited partnership or stock in a corporation. The contributors would share in the profits, but would not be liable in the event of failure.

Selling Stock or Partnership Interests

While this is an option, Federal Securities regulations are an important and complicated issue. Consult an attorney experienced in securities law.

Leasing Companies

If equipment is needed, consider leasing. While the total cost may be greater, leasing may offer certain tax advantages while allowing one to retain working capital and/or bank credit.

Source: Business Resource and Filing Guide, The Arlington Chamber, and Small Business Survival Guide, The Business Press.



Texas is 1 of 4 states with no income tax on corporate earnings, and 1 of 7 states with no personal income tax.

Franchise Taxes

1. The Texas franchise tax is a privilege tax assessed against corporations and limited liability companies doing business in Texas.
2. Corporations and limited liability companies pay the greater of the tax on net taxable capital or net taxable earned surplus. Consult an accountant or CPA for assistance in this calculation.
3. The franchise tax report is filed annually with the Texas Comptroller's Office. Refer to Appendix A.

Sales Taxes

1. Every person, partnership, corporation, or other organization selling, renting or leasing taxable items in Texas must have a Sales Tax Permit.
2. Sales Tax Permits can be obtained by applying to the Texas Comptroller of Public Accounts at a local Comptrollers' Office.
3. Refer to Appendix A for resources.

The following information is necessary when completing a request for a sales tax permit. Temporary authority to open your business upon completion of the application will be given.

- ❖ Social Security Number - The owner of the business for a sole proprietorship; the number of each partner for a partnership; and the president and secretary's numbers for a corporation.
- ❖ Federal Employers Identification Number - Assigned by the IRS if the business hires employees or pays Federal Excise tax.
- ❖ Corporate Charter or Certificate of Authority - Number assigned to the corporation by the Texas Secretary of State, and the effective date of permission to do business in Texas.
- ❖ Signatures - For a sole proprietorship, the owner must sign the application. For a partnership, all partners must sign. For a corporation, the president, secretary, or a personnel authorized to legally bind the company must sign.
- ❖ While an application fee is not required, a bond or security must be furnished to ensure payment of both state and local sales and taxes.



Southlake Sales Tax Rate

- Total 8.25% - the maximum amount in the state of Texas
- 6.25% to State of Texas
- 2.00% to City
 - 1.0% to the General Fund
 - 0.5% to Southlake Parks Development Corporation
(Parks and Recreation Development Sales Tax 4B implemented May 1994)
 - 0.5% to Crime Control and Prevention District.

Property Tax Rates

Southlake lies within two counties and is served by four independent school districts.

City of Southlake - **Tax Rate Summary** - October 1, 2004

School District	School District Tax	City of Southlake Tax	Tarrant County Tax	Denton County Tax	Tarrant County College District Tax	Tarrant County Hospital Tax	Total
Carroll ISD	1.93500	0.462	0.2725	N/A	0.13938	0.235397	3.04428
Grapevine Colleyville ISD	1.70105	0.462	0.2725	N/A	0.13938	0.235397	2.81033
Keller ISD	1.67620	0.462	0.2725	N/A	0.13938	0.235397	2.78548
Northwest ISD	1.83481	0.462	N/A	0.24717	N/A	N/A	2.54398

For information on Tarrant Appraisal District, Tarrant County Tax Assessor/Collector, and other related agencies, refer to Appendix A - Local.

Source: Tarrant County Appraisal District (www.tad.org)



When it comes to insurance on your business, start with a knowledgeable insurance agent whom you trust and will feel comfortable working with.

If your building from the ground up you will want to make sure that the contractor you hire is insured and will provide a Builders Risk policy. This policy will cover all materials while the building is under construction.

Usually, if the building will be leased or bought, some type of Commercial Insurance Package Policy will be needed. A policy of this type covers various risks.

General coverage for Businesses might include:

1. General Liability
2. Property Coverage
3. Commercial Auto
4. Workers Compensation
5. Employment Practice Liability
6. Error and Omission / Professional Coverage
7. Product Liability
8. Umbrella Liability
9. Inland Marine

Keep in mind that there are other types of insurance coverage that a company might need to secure such as:

1. Keyman Insurance Coverage
2. Buy-Sell Agreement Funding
3. Employee Benefit Plans
 - 401K
 - Keogh
 - Simplified Employer Pension Plan (SEP)
 - Group Health Insurance
 - Group Life & Disability

There are many risks and exposures that must be addressed. An untimely loss could affect the longevity and success of your business.

In addition, each business will need insurance, which is based on the needs of that company. For example, a dentist office has different exposures, risks, and coverages in comparison to a plumber or a home-based business. Each company's need is different.

Again, start with an insurance professional to discuss what the business might need to cover for those many unknown risks.



A knowledgeable real estate broker can assist in finding the best location for your business.

Leases are usually stated in terms of square footage per year.

1. Monthly rent equals the dollar amount multiplied by the square footage, divided by 12 months.
2. Square footage is usually measured from the inside or the outside of an exterior wall to the middle of a common wall. (If measured from the outside of an exterior wall, there will be a slight increase to the rentable square footage you are paying for.) In the office buildings, tenants usually pay for common areas such as hallways, atriiums, elevators, and restrooms as apportion of their rentable square footage (on a pro rata basis); in retail centers, as well as in garden one-story office buildings, there is typically no common area space to share, therefore there is no added on "common area factor."

Lease terms are usually one of three types:

Triple Net Lease

The base rental amount excluding taxes, insurance, and common area maintenance (landscaping, parking lot cleanup, janitorial services for the common areas, etc.) With a triple net lease, expect to pay the base rent plus a pro rata percentage (based on the square footage leased) of the actual cost of the property's taxes, insurance and maintenance.

Full Service (gross) Lease

Quoted as one rate, the base rental rate includes taxes, insurance, common area maintenance, electricity, and janitorial expenses.

Industrial Gross Lease

The base rental rate includes taxes, insurance, common area maintenance, and typically janitorial expenses. The tenant is responsible for payment of electricity and sometimes janitorial.

If a retail storefront is not needed, consider leasing an office space. Base rental rates for office space is typically lower than retail. Executive suites are also a cost effective means of leasing small office space and is ideal for a one or two person office. In an executive suite arrangement, the costs of a receptionist, telephone, copy/fax machines, utilities, and break areas are shared between the participating businesses and the tenants are charged a flat monthly rental rate.

As in all business practices, read the lease thoroughly and consult an attorney.

Source: How to Start a Business in Dallas, Small Business Resource Council.

The Economic Development Department also welcomes the opportunity to meet with you in our office or over the phone to help guide you to a site location meeting your needs. We maintains a database of all land sites and buildings for sale or lease in the City of Southlake. This database will include graphic representations of the site location, broker sales flyers and basic information on each site.

We would be glad to meet with you to help satisfy your needs to purchase land or land and building, or connect you with multi-tenant properties that periodically have commercial lease space available.

Our website lists summary reports from our current database of land and/or buildings that are for sale or lease with associated contact information (location, acres, zoning, contact information etc.). These reports may provide you with Southlake Sites that meet your needs.

We can also utilize our Southlake Broker-Net program to put your desires directly in the hands of all brokers, leasing agents or developers representing land or buildings in the Southlake market. Please visit our website (www.southlakesites.com) or contact us directly for assistance (817) 748-8039.



Land Use and Zoning

The Planning Department plays a critical role in implementing the community's vision for the built and natural environment of the city. To this end, the department administers all City Council adopted development related policies such as zoning, subdivision, capital improvements, transportation, etc. The department coordinates with the Planning and Zoning Commission in updating the city's Master Plan components. Specifically, the Planning Department is responsible for coordinating the update of the Land Use Plan and Thoroughfare Plan. The Planning Department is also responsible for maintaining the city's Geographic Information System (GIS). To this end, the department provides critical geographic information to other city departments, citizens, and businesses alike.

The Southlake 2025 Plan is the city's current comprehensive plan update and a blueprint for its future. The Planning & Zoning Commission is responsible for the update to the City's comprehensive plan. The purpose of the Southlake 2025 Plan is to establish city government policy to help guide public and private activities as they relate to land use and financial implications for the next 20-plus years. The plan is the foundation or framework for all development regulations such as the Zoning and Subdivision ordinances. Phase I of the plan establishes the community's Vision, Goals, and Objectives and Phase II develops the plan elements.

Real estate development within the City of Southlake is governed by a Comprehensive Zoning Ordinance, as amended, comprised of zoning districts ranging from Agricultural to Industrial. New projects are subject to compliance with an adopted Land Use Plan and subdivision ordinance. The City has adopted the Uniform Building Code with minor amendments and requires all new construction to obtain building permits from the City. Comprehensive procedures and guidelines have been established to assist the development community through the process in a reasonable time frame.

Information on these resources is available on the City website: www.ci.southlake.tx.us.

**Platting**

Plats are legal and graphic representations of tracts of land that meet the standards for subdivision as set by the city. The subdivision ordinance regulates the platting process. A plat is a legal document for dividing or combining tracts of land to create lots for sale.

The city has several types of platting processes. The type of plat process required is dependant upon the size, number of proposed lots, current platting status and physical conditions of the property. A preliminary plat shows all lots, easements, and roadways, but generally without the calculated dimensional accuracy of a final plat. A preliminary plat is not filed on record and therefore does not consummate the dedication of easements or right of way (R.O.W.). A final plat is defined by engineered dimensional accuracy showing all lots, easements, dedications, and property corner monumentation. Upon approval and filing of this plat, all entitlements granted by easement or dedication are consummated. It is necessary to file a plat on a piece of property if the property is being subdivided or if a building permit is required and a plat has not already been filed. A plat must be prepared by a Registered Professional Land Surveyor licensed in the State of Texas. Contact the City of Southlake Planning Department at (817) 748-8069 regarding specific requirements.

Subdivision

Subdivision is the division of a lot tract or parcel of land into two (2) or more lots plots or parcels or building sites for the purpose of either immediate or future sale or building development. The subdivision process ensures that a project is on a legally subdivided lot that has proper space for certain kinds of development and the required utility easements and roadways. Specific subdivision considerations include the shape of a site, lot and/or tract size, circulation, street layout, drainage and grading, and flood plain concerns.

In addition, subdivision projects are reviewed to address any environmental concerns that may arise. These include water quality, tree, vegetation and habitat maintenance and the protection of critical environmental features. Also utilities are planned for in the subdivision process. These considerations include the extension of transmission lines, distribution of water and wastewater lines or on-site service.

Certificate of Occupancy

Certificate of Occupancy permits are required for new construction or reoccupying an existing structure. The guidelines and application are posted at www.ci.southlake.tx.us (Building Services Department).



Following are important development-related ordinances to consider when building a facility.

Airport Overlay Zone, Ordinance No. 480, Section 43, as amended

Certain areas of Southlake are or may be impacted by noise and other activities associated with commercial aviation operations originating and terminating at Dallas / Fort Worth International Airport. These areas shall be subject to the regulations and restrictions set forth in the Airport Compatible Land Use Zoning Ordinance.

Corridor Overlay Zone, Ordinance No. 480, Section 43, as amended

The entirety of all properties which adjoin or are located within 100 feet of the future S.H. 114 Right of Way (R.O.W.), the F.M. 1709 R.O.W., and the F.M. 1938 R.O.W. or any property which provides for vehicular access to said rights-of-way or which provides for vehicular access to an arterial street within 500' of said rights-of-way. Section 43 of the Zoning Ordinance No. 480, as amended, establishes the intent for each of the corridors, as well as the development standards for properties within the overlay zone.

Residential Adjacency Overlay Zone, Ordinance No. 480, Section 43, as amended

All non-single family residential buildings or uses lying within 400 feet of single family residential property, within 200 feet of property within the "MH" Manufactured Housing District, and having a low density or medium density residential land use designation according to the Land Use Plan. Section 43 of the Zoning Ordinance No. 480, as amended, establishes the intent for non-single family residential development, as well as the development standards for properties within the overlay zone.

Driveway Ordinance No. 634

Establishes criteria and regulations for the design, construction, location, and spacing of driveways. Traffic Impact Analysis required for certain commercial, service or multi-family driveways.

Landscape Ordinance No. 544-A

Establishes criteria and regulations for the installation of landscaping improvements on non-residential and most multi-family construction. Addresses landscape plan and irrigation plan requirements.

Masonry Ordinance No. 557

Details masonry requirements for non-residential buildings. As a rule of thumb, masonry materials should cover 80% of applicable area, with different requirements for industrial uses. More stringent requirements affect the corridor overlay zone.

Sign Ordinance No. 704-B

Comprehensive regulation of signs to provide control of sign quantity and quality to limit the detrimental impact on roadway safety and inefficient usage, and to minimize the adverse effect on adjacent properties. Addresses sign permits, types of signs, appeals and variances, construction regulations, setbacks, and lighting. Governs residential and non-residential.

Tree Preservation Ordinance No. 585-B

Encourages the preservation of mature trees and natural areas. Tree-removal permits must be submitted and approved before removal of any protected tree, unless tree is exempt. Protected trees that are removed may have to be replaced.

**A Sign Permit is required for all signs within the City.**

--Sign Permit is valid for 180 days from date of issuance

Application for Sign Permit must include:

1. Application form and applicable fee
2. A sketch of the sign illustrating all dimensions (to scale) including all building elevations
3. Signature from property owner granting permission to erect sign
4. Compliance with wind pressure and dead load requirements
5. General plan illustrating location of building, structure or tract and positioning of sign (to scale)
6. Variance requests or conditional sign permit information (if any)

General Sign Categories include:

1. Attached
2. Monument
3. Ground

Regulatory factors include:

1. Distance from R.O.W./setback
2. Number of signs per site
3. Illumination
4. Width of building or lease space
5. Roof line limitations
6. Height, area, and width
7. Material
8. Residential adjacency
9. Letter/logo height
10. Protrusion from attached surfaces

- ❖ Ordinance 704-B addresses other types of signs, such as business, menu board, subdivision, etc.
- ❖ Some Temporary Signs are exempt from permit, such as real estate marketing, builder signs and window signs as long as they meet the criteria under the sign ordinance.
- ❖ City Council may authorize variances to any requirements regarding number of signs, area, height, setback, or any other aspect of the sign-permitting process. Variance applications must be received at least three (3) weeks before the Council meeting date.
- ❖ If leasing, clarify signage responsibilities. What size sign is entitled or allowed, who will pay for and install it, and will it be illuminated?

Refer to the City of Southlake Sign Ordinance, No. 704-B. For more information, contact the Planning Department (www.ci.southlake.tx.us) or (817) 748-8069.



Southlake is considered "Wet" or able to sell alcohol with a Specific Use Permit.

To sell alcoholic beverages - off-premise packaged beer / wine

1. Obtain retail dealer off-premise license - see Appendix A for resource.
2. Obtain Specific Use Permit from the Planning and Zoning Commission and the City Council.
A concept plan is required. See the Southlake Planning Department.

To sell mixed beverages

1. Obtain mixed beverage permit - see Appendix A for resource.
2. Obtain Specific Use Permit from the Planning and Zoning Commission and the City Council.
A concept plan is required. See the Southlake Planning Department.

Required zoning district

1. Office District - O-2
2. Commercial Districts- C1, C2, C3, C4
3. Hotel - HC
4. Site Plan District (Detailed) - S-P-1
5. Site Plan District (Generalized) - S-P-2
6. Planned Unit Development District - PUD
7. Downtown - DT*

*Only applies to non-residential uses and mixed use buildings in DT District

City of Southlake Zoning Ordinance, No. 480, section 45.6 addresses:

1. Businesses deriving more than 75% of their gross revenues from the on-premise sale of alcoholic beverages.
2. Business locations within 300' of a church, public school, or public hospital. Distance measurement in accordance to Section 109.33 of the Texas Alcoholic Beverage Code (TABC).



Regulations Contacts

The following list represents potential agencies involved in the business start-up process.
Please refer to a business consultant on processes related to your specific industry.

Registering a Business			
Purpose	Who to Contact	Contact Information	
❖ Certificate of Occupancy	Building Services Department	667 North Carroll Ave. Southlake, TX 76092 www.ci.southlake.tx.us	(817) 748-8236 fax - (817) 748-8241
❖ Register a Business	Tarrant County Clerk Office	100 W. Weatherford Fort Worth, TX 76102 www.tarrantcounty.com	(817) 884-1195 business name - (817) 884-1069 fax - (817) 884-1075
❖ Research other businesses operating under the same name	Tarrant County Clerk Office (local)	1400 Main Street Suite 110 Southlake, TX 76092 www.tarrantcounty.com	(817) 481-8179
❖ Obtain a Sales Tax Permit NOTE: Required if a person, partnership, corporation or other organization sells, rents or leases taxable items in Texas	Comptroller of Public Accounts (local office) Texas Comptroller's Office	4040 Fossil Creek Blvd Suite 100 Fort Worth, TX 76137 www.window.state.tx.us P.O. Box 13528 Austin, TX 78711	(817) 847-6201 (800) 252-5555
❖ Statewide Permits or Licenses	Texas Department of Economic Development Texas Department of Licensing and Regulation	1700 N. Congress Austin, TX 78701 www.tded.state.tx.us 920 Colorado Austin, TX 78701 www.license.state.tx.us	(512) 936-0100 (800) 803-9202
❖ Obtaining Employer Identification Number NOTE: Required if the business hires employees or pays federal excise tax	Internal Revenue Service	1040 Waverly Avenue Stop 540 - Brookhaven Campus Holtsville, NY 11742 www.irs.gov	(800) 829-4933
❖ Incorporating a Business NOTE: Required if business will operate as a corporation or limited liability company conducting business in Texas	Texas Secretary of State	ATTN: Corporations Section P.O. Box 13697 Austin, TX 78711 www.sos.state.tx.us	(512) 463-5555
Additional Tax Resources			
	Tarrant County Appraisal District (TAD)	2500 Handley-Ederville Rd. Fort Worth, TX 76118 www.tad.org	(817) 284-0024



Workforce Information			
Purpose	Who to Contact	Contact Information	
❖ Employer and Employee Seeking Jobs	Texas Workforce Commission	140 W. Mitchell Street Arlington, TX 76010-1801 www.texasworkforce.org	(817) 804-4200 fax - (817) 804-4298
❖ Minimum Wages and Records NOTE: Employers must maintain records on wages, hours worked and other related items NOTE: Employers with workers subject to minimum wage provisions must display specified posters	U.S. Department of Labor, ESA Wage & Hour Division	The Offices at Brookhollow 1701 E. Lamar Suite 270 - Box 22 Arlington, TX 76006-7303 www.dol.gov/dol/esa	(866) 487-9243
❖ Workers' Compensation	Texas Worker's Compensation Commission (local office)	6900 Anderson Suite 200 Fort Worth, TX 76120-3011 www.twcc.state.tx.us	(817) 446-4488
❖ Workplace Safety Requirements	U.S. Department of Labor OSHA	8713 Airport Freeway Suite 302 Fort Worth, TX 76180-7610 www.osha.gov	(817) 428-2470 fax - (817) 581-7723
❖ Drug-Free Workplace Requirements	Alliance Work Partners	2525 Wallingwood Drive Building 5 Austin, TX 78746 www.wapeap.com	(800) 343-3822
❖ American's with Disabilities Act (ADA)	Texas Governor's Committee on People with Disabilities	P.O. Box 12428 Austin, TX 78711 www.governor.state.tx.us	(512) 463-5739



Industry Specific Information			
Purpose	Who to Contact	Contact Information	
❖ Food Handling and Storage Limits NOTE: Any business involved in handling, processing, packaging or warehousing foods including day care centers, must have a health permit NOTE: If constructing a facility of food service nature, drawings must be approved before construction to ensure basic health standards are incorporated into the design.	Tarrant County Environmental Health Department	1101 S. Main Fort Worth, TX 76104 health.tarrantcounty.com	(817) 321-4700
	Tarrant County Health - Travel Vaccinations	1400 Main Street Suite 340 Southlake, TX 76092	(817) 321-4707
❖ Alcoholic Beverage Sales	Texas Alcoholic Beverage Commission (TABC)	6800 Manhattan Blvd. Suite 100 Fort Worth, TX 76120 www.tabc.state.tx.us	(817) 451-9466
❖ Environmental Impacts and Regulations	Texas Commission on Environmental Quality	2309 Gravel Drive Fort Worth, TX 76118 www.tnrcc.state.tx.us	(512) 239-1066
❖ Exporting and Importing	Fort Worth Export Assistance Center	U.S. Department of Commerce 808 Throckmorton Fort Worth, TX 76102 www.export.gov	(817) 392-2673

**CITY OF SOUTHLAKE**

Economic Development	(817) 748-8039
Demographic Information	
Sites and Buildings Information	
Business Contacts	
Shopping and Dining Brochures	
Marketing Guide	
Planning Department	(817) 748-8069
Board of Adjustment	
Development processing	
Master plan components	
Zoning	
Sign Application Process	
Traffic studies	
Finance Department	(817) 748-8345
Property taxes	
Utility billing questions	
City Manager's Office	(817) 748-8003
Public Information Officer (PIO)	
SPIN (Southlake Program for the Involvement of Neighborhoods)	
Community Services Department	(817) 748-8148
Park construction projects	
Park land dedication requirements (residential and commercial)	
Trail system and parks, recreation and open space master plans	
Offer progressive social and cultural opportunities	
Tree Preservation Functions	
Public Safety Department	(817) 748-8110
Crime Prevention	
Crime Statistics	
Fire Education and Safety	
Animal Control	
Building Services Department (a unit of Public Safety)	(817) 748-8236
Certificate of Occupancy	
Building Permits	
Building Inspections	
Code Enforcement	
Public Works Department	(817) 748-8098
Community Development Block Grant (CDBG) projects	
Construction plans reviewed for streets and utilities	
Engineering	
Water and wastewater: repairs or maintenance	
Street repair	
Library	(817) 748-8243
Books, Books on Tape, DVD's, Magazines, CD's	
Research	
Children's Storytime	

**GENERAL****City of Southlake, Economic Development Department****(817) 748-8039**

1400 Main St., Suite 300, Southlake, TX 76092

www.southlakesites.com

econdev@ci.southlake.tx.us

The Economic Development Department maintains a Southlake business database; summary of existing and future office, retail and warehouse space; and demographic, financial, labor and employment, quality of life, transportation and utility data. Available publications: Southlake Fast Facts; Southlake Community Profile; Site Inventory Guide; Southlake Marketing Brochure; Southlake Catering Report; and the Shopping and Dining Guide.

Southlake Chamber of Commerce**(817) 481-8200**

1501 Corporate Circle Suite 100 P.O. Box 92668 Southlake, TX 76092

www.southlakechamber.com

info@southlakechamber.com

The Chamber is a voluntary organization focusing on building relationships between businesses and the community. The Chamber hosts many social events and provides ongoing programs including monthly luncheon, annual awards banquet, monthly home based business breakfast, business after hours meetings, annual Golf Classic, Jigglin' Gelatin Slide, and Leadership Southlake.

North Central Texas Council of Governments (NCTCOG)**(817) 640-3300**

Centerpoint Two 616 Six Flags Drive Suite 200 Arlington, TX 76011

www.nctog.org

risinfo@dfwinfo.com

City and county-wide information on growth trends, US Census data, employment prospects, traffic counts, and population, employment and housing statistics. Covers 16-county metropolitan area.

Greater Dallas Chamber of Commerce**(214) 746-6600**

700 North Pearl Suite 1200 Dallas, TX 75201

www.dallaschamber.org

information@dallaschamber.org

Four main focuses:

- a) providing informative low-cost seminars
- b) representing the business community in local, state, and federal legislative issues
- c) promoting economic development within the DFW Metroplex
- d) ongoing research beneficial to the business community.

Small Business Resource Council**(214) 746-6776**

Provides programs and resources to enhance growth and development of small businesses, including business leads, networking, trade shows, consulting, recognition programs, and capital forums. Dallas/Fort Worth International Directory is a publication designed to offer assistance to local businesses in marketing their products and services worldwide.

Fort Worth Chamber of Commerce**(817) 336-2491**

777 Taylor Street Suite 900 Fort Worth, TX 76102

www.fortworthchamber.com

Economic Development Division offers demographics and other marketing research for Fort Worth and Tarrant County, including industrial or office sites, labor availability, training programs, publications, industrial resources, and referral to other organizations.

Texas Association of Business and Chambers of Commerce (TABCC)**(214) 890-9259**

7502 Greenville Dallas, TX 77056-3405

www.tabcc.org

region2@tabcc.org

**Texas Workforce Commission****(817) 335-5111**

301 West 13th Street P.O. Box 591 Fort Worth, TX 76101

www.twc.state.tx.us

customers@twc.state.tx.us

Free employment-related information. Economic Research Analysis Department provides area unemployment statistics, average starting salaries for particular industries, and lay-off counseling.

*Bedford Office:***(817) 545-1809**

1809 Forest Ridge Dr., Bedford, TX 76095-0997

Bill J. Priest Institute for Economic Development**(214) 860-5900**

1402 Corinth Street, Dallas, TX 75215

www.billpriestinstitute.org

billpriestinstitute@dcccd.edu

Economic development center with 9 major divisions offering services for new and growing businesses similar to BAC.

They offer:

- a) customized training and assessment services for businesses
- b) career training and job placement services
- c) office space and support services for entrepreneurs
- d) small business start-up, management, and capital access assistance
- e) assistance with patents, copyrights, trademarks and government procurement
- f) international trade assistance
- g) testing services

Small business start-up workshops on select Fridays from 6:00-8:00 p.m. Fee is \$8.

Free SBA 7(a) loan seminars from 1:00-3:00 p.m. every Thursday, excluding holidays.

Fort Worth Business Assistance Center (BAC)**(817) 871-6001**

1150 S. Freeway, Fort Worth, TX 76104

www.fwbac.com

BAC goals include creating quality, sustainable jobs by nurturing small business. Services and information offered include Accounting and Records; Business Liquidation/Sale; Business Start-Up/Acquisition; Financial Analysis/Cost Control; Loan Packaging Assistance; Marketing Sales; Personnel; and Software Selection / Network Development.

Service organizations located at the BAC include the following.

Business Information Center

Maintains information in a variety of formats for those considering the start-up or expansion of a small business.

Service Corps of Retired Executives (SCORE)**(817) 871-6002**

Volunteers provide one-on-one professional counseling for those considering a business start-up, as well as those already operating a small business.

U.S. Small Business Administration (SBA)**(817) 871-6007**

Representatives coordinate access to a wide range of programs, including loan guaranties, minority enterprise development, economic development, investment and surety bonds, government contracting, and international trade.

Fort Worth Economic Development Corporation**(817) 336-6428**

Assists firms in accessing SBA 504 loans and other SBA financing programs.

Small Business Development Center**(817) 871-6028**

Offers free customized business counseling and training seminars.

Electronic Commerce Resource Center (ECRC)**(817) 871-6021**

Provides wide range of information on computer hardware and software capabilities for a business.

Texas Manufacturing Assistance Center (TMAC)**(817) 871-6433**

Provides hands-on assistance for small manufacturers.



- U.S. Small Business Administration District Office** (817) 684-5500
4300 Amon Carter Blvd. Suite 114 Fort Worth, TX 76155
www.sba.gov dfwdo.email@sba.gov
Separate location from Fort Worth BAC
- Dallas/Fort Worth Minority Business Development Center** (214) 630-0747
1000 Stemmons Tower South, 2720 Stemmons Freeway Dallas, TX 75207-2212
www.dfwmbdc.com admin@dfwmbdc.com
Provides minority and women-owned businesses with public and private sector bid opportunities and counseling.
- North Texas Commission Mentoring Program** (972) 621-0400
8445 Freeport Parkway, Suite 640 Irving, TX 75063; P.O. Box 610246 DFW Airport, TX 75261-0246
www.ntc-dfw.org ntc@ntc-dfw.org
Help small businesses get through the trials of their first few years. Joint effort of North Texas Commission and Dallas/Fort Worth Minority Business Development Council.
- International Small Business Development Center** (214) 747-1300
World Trade Center, 2050 N. Stemmons Frwy., Suite 156-A Dallas, TX 75342
www.iexportimport.com information@iExportImport.com
Offers seminars on international trade, such as classes for exporters and importers, and free one-on-one counseling.
- Better Business Bureau - Fort Worth** (817) 332-7585
www.fortworth.bbb.org bbb@fortworthbbb.org
1612 Summit Avenue, Suite 260 Fort Worth, TX 76102-5978
- U.S. Occupational, Safety and Health Administration (OSHA)** (817) 428-2470
8713 Airport Freeway, Suite 302 Fort Worth, TX 76180-7610
www.osha.gov
- National Association for the Self-Employed (NASE)** (800) 232-NASE
www.nase.org
P.O. Box 612067 DFW Airport, Dallas, TX 75261-2067
- International Trademark Association** (212) 768-9887
1133 Avenue of the Americas New York, NY 10036-6712
www.inta.org liaison@inta.org
- Area secondary educational institutions offer a variety of non-credit business courses:*
- Tarrant County College (TCC)** (817) 515-6100
Northeast Campus, 828 Harwood Road Hurst, TX 76054
www.tccd.net
- University of Texas at Arlington (UTA)** (817) 272-2011
701 S. Nedderman Drive Arlington, TX 76019
www.uta.edu mavmail@uta.edu



Terminology

Chapter 7 Bankruptcy

Straight bankruptcy - Assets not protected by law are liquidated to pay creditors.

Chapter 11 Bankruptcy

Company or people involved in the company are protected from creditors' lawsuits until a reorganization plan to put finances in order is developed.

Chapter 13 Bankruptcy

Reorganization - Adjustment of debts of an individual with a regular income.

**Publication**

A Whack On The Side Of The Head
Anatomy Of A Startup: Why Some New Businesses Succeed
And Others Fail
Building Bridges to Customers
Catalog Of Small Business Research
Customer Service for Dummies
Developing, Implementing and Managing
An Effective Marketing Plan
Finding Money: The Small Business Guide To Financing
For Entrepreneurs Only: Success Strategies For Anyone Starting
Or Growing A Business
Getting The Money You Need: Practical Solutions For
Financing Your Small Business
Guerrilla Financing: Alternative Techniques To Finance
Any Small Business
How To Start A Business in the City of Dallas - The Sourcebook
How To Start A Business In Texas
How to Win Customers and Keep Them for Life
Just Sell It! Selling Skills For Small Business Owners
Managing Growth In Your Emerging Business
Secret To Successfully Starting Your Own Business
Start Up: An Entrepreneur's Guide To Launching & Managing
a New Business
Selling The Way Your Customer Buys: Understand Your Prospects'
Unspoken Needs And Close Every Sale
Serve America!
Strategic Partnering
Strategic Selling
Superstar Sales Secrets
Surviving the Start-Up Years In Your Own Business
The Challenges of Managing a Small Business
The Complete Book of Business Plans: Simple Steps to Writing
a Powerful Business Plan
The Complete Idiot's Guide To Stating Your Own Business
The Connected Corporation
The Do-It-Yourself Business Promotions Kit
The Small Business Survival Kit:
134 Trouble-Shooting Tips for Success
The Smart Woman's Guide To Starting A Business
The Young Entrepreneur's Guide To
Starting And Running A Business
Upside-Down Marketing
1001 Ideas To Create Retail Excitement

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