

NOTICE
THIS NOTICE IS POSTED IN COMPLIANCE WITH THE OPEN MEETING ACT
(TEX. GOVT. CODE CHAPTER 551, SEC. 551.041)

AGENDA
PLANNING AND ZONING COMMISSION MEETING
APRIL 22, 2024
5:30 P.M.
GATESVILLE CITY COUNCIL CHAMBERS
110 NORTH 8TH STREET, GATESVILLE, TEXAS 76528

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed, Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

1. **Call Meeting to Order-----**
2. **Announcement of Quorum**
3. **Invocation and Pledge of Allegiance**
4. **Citizens/Public Comments Forum: Individuals wishing to address the Gatesville City Council may do so during this segment. If you intend to comment on a specific agenda item, please indicate the item(s) on the sign-in sheet before the meeting. Each speaker is allotted a maximum of 3 minutes for their remarks, and speakers are expected to conduct themselves in a respectful & civil manner. In accordance with the Texas Open Meetings Act, the City of Gatesville City Council cannot deliberate or act on items not listed on the meeting agenda.**
5. **Discussion and possible action regarding approval of Minutes from Planning and Zoning Meeting held on November 6, 2023.**
6. **Introduction of David Jones from FNI and a general overview of P&Z's role and responsibilities. (Scott Albert & David Jones)**
7. **Conduct a Public Hearing regarding a proposed amendment to the City's Zoning Ordinance by amending Table IV "Uniform Height and Area Regulations", by amending various sections of Section 11 "Zoning District Descriptions" to clarify the applicability of Table IV, and by amending Section 13 "Administration and Enforcement" by adding a new Section 13-7 "Conflicts Between Tables and Code Text".**
8. **Discussion and possible recommendation regarding Ordinance No. 2024-02, an Ordinance amending "The City's Zoning Ordinance by amending Table IV "Uniform Height and Area Regulations" by amending various sections of Section 11 "Zoning District Descriptions" to clarify the applicability of Table IV, and by amending Section 13 "Administration and Enforcement" by adding a new Section 13-7 "Conflicts Between Tables and Code Text". (Scott Albert & David Jones)**
9. **Conduct a Public Hearing regarding a proposed amendment to the City's Zoning Ordinance regarding Mobile, Manufactured, and Modular Homes.**
10. **Discussion and possible recommendation regarding Ordinance No. 2024-03, an Ordinance amending the City's Zoning Ordinance in Regard to Mobile, Manufactured, and Modular Homes. (Scott Albert & David Jones)**

EXECUTIVE SESSION:

- 11. The City Council of the City of Gatesville will convene into a closed, executive session in accordance with the Texas Open Meetings Act, Texas Government Code:
* Section 551.071 (Consultation with Attorney)**

- 12. Discussion and possible action resulting from deliberations in Executive Session.**

- 13. Adjourn Meeting**

I hereby attest that the above agenda was posted on this the 18th day of April, 2024 by 5:00 p.m. on the official City of Gatesville website, www.gatesvilletx.com and the official bulletin boards at the Gatesville City Hall, 803 E. Main Street and Gatesville Council Chambers, 110 N. 8th Street, Gatesville, Texas.



Wendy Cole
City Secretary

The City of Gatesville Council Chambers are wheelchair accessible and accessible parking spaces are available at the back entrance of City Hall. Requests for accommodations or interpretive services must be made 24 hours prior to this meeting. Please contact the City Secretary's office at 254-865-8951 or FAX 254-865-8320, or email wcole@gatesvilletx.com for further information.

PLANNING AND ZONING COMMISSION

Minutes of Regular Meeting

November 6, 2023, 5:30 P.M.

PERSONS PRESENT: **Board Members:** Wyllis Ament, John Clawson, Charles Ament, Teresa Johnson, & Bob Brown.

Staff: Rene Ochoa & Liz Reinhardt.

Public: Troy Chasteen, Eugene & Janis Dyer, Clay Marwitz, and Kim Hill.

Absent: John Westbrook

AGENDA ITEM 1. John: Called the regular meeting to order at 5:33 p.m. on 6th day of November 2023.

AGENDA ITEM 2. *Hear Visitors/Citizens Forum:* John: "At this time, any person with business before the Commission not scheduled on the agenda may speak to the Commission for a maximum of three (3) minutes. No formal action can be taken on these items at this meeting."

AGENDA ITEM 3. John: "All consent agenda items are considered routine by the Planning & Zoning Commission. There will be no separate discussion of these items, unless a commissioner requests an item be removed and considered separately. Approval of minutes from August 7, 2023, meeting by consent." There is a correction to be made to the minutes: change Bob Brown to Place 7.

Agenda Item 4 – Discussion and possible action regarding a plat application to subdivide a .97-acre tract of land from the A. Arochoa Survey to be known as "Paskett Addition" Rene explained: Property owners Stacy Summers and Amanda Summers have filed a plat application with the City of Gatesville to subdivide 0.91 acres from a larger un-platted 9.75-acre parcel. o One lot is being created, being 0.85 acres in size. o 0.12 acres of land is being dedicated to the public as ROW. This portion of land currently holds a portion of the existing Straws Mill Roadway, the remaining 8.78 acre parcel will remain un-platted with its own independent access to ROW. The property is located at 208 Pamela Drive, Gatesville, TX. The proposed lot fronts Straws Mill Road and has ROW access. The lots will be serviced by both existing City Water and Sanitary Sewer. No public improvements are necessary as part of this subdivision proposal. As such, engineering documentation is not needed. DISCUSSION/CONCLUSION: The proposed land use is a residential homesite. This proposed land use is compatible with the current "AGRICULTURAL AND SUBURBAN HOMESITES" zoning district. The plat application complies with all other provisions outlined in the city's subdivision ordinance and applicable State Statutes. Staff recommends the Planning & Zoning Commission approve the plat application to subdivide a .97-acre tract of land from the Arochoa Survey to be known as the Paskett Addition. Charles motioned to approve, Teresa seconded, approved.

Requires final approval from City Council at next meeting.

Agenda Item 5 & 6 Recess regular meeting and call Public Hearing.

Discussion and possible recommendation concerning the original zoning of property to be annexed into the City of Gatesville City Limits Property owner Krista Moreland has petitioned the City of Gatesville for voluntary annexation of approximately 136 acres located at 911 Old Pidcoke Road. The property remains primarily undeveloped. The surrounding area is composed primarily of undeveloped land or properties hosting agricultural uses. The Future Land Use Map found in the current Comprehensive Plan designates the future land use for the area as residential. This voluntary annexation petition is being driven by a request for a minor subdivision (to be discussed in a later agenda item). Upon annexation approval, newly incorporated property automatically receives a preliminary zoning classification of "ZONING PENDING". o Staff is recommending the property, located at 911 Old Pidcoke Road receive an initial zoning classification of "AGRICULTURAL AND SUBURBAN HOMESITES". This zoning designation is designed to permit sparsely settled residential development and residential in combination with traditional farming activities. Property owners have expressed consent of the initial zoning classification of "AGRICULTURAL AND SUBURBAN HOMESITES" demonstrated through the attached email correspondence. The proposed zoning district complies with the existing Future Land Use Map found in the current Comprehensive Plan. The proposed zoning classification is compatible with the existing land

uses, the surrounding land uses and existing infrastructure in the area. A newspaper public notice and public notice letters to surrounding property owners were distributed in compliance with Local Government Code 211 and the provision of our local Zoning Code. Following a recommendation decision by the P&Z Commission, the rezoning case will be forwarded to the City Council for their review and final decision. Staff recommends the Planning and Zoning Commission approve a recommendation to rezone the newly annexed property from “ZONING PENDING” to “AGRICULTURAL AND SUBURBAN HOMESITES” upon annexation. Troy Chasteen expressed his concerns of the road boring, tearing up the road, and adequate water and sewer to this area. Also, two properties are sharing one driveway. Eugene Dyer stated his concerns about adequate water and that he did not want to be annexed into the city limits. Charles motioned to close the public hearing and Teresa seconded. “Moreland Annexation Initial Zoning” (Public Hearing and Auction) Approved. Commission approved initial zoning of Ag/Suburban Homesites for newly annexed property upon full annexation.

Agenda Item 7 – AGENDA ITEM: 7 Discussion and possible action regarding a platting application to subdivide a 12.00-acre tract of land from the William Suggett Survey to be known as the Berry Estates. Property owner Krista Moreland has filed a plat application with the City of Gatesville to subdivision 12 acres from a larger un-platted 135-acre parcel. Four lots are being created, each being 3.00 acres in size. The remaining 123-acre parcel will remain un-platted for future development. The property, located at 911 Old Pidcoke Road. This subdivision proposal takes place outside the City Limits o The subdivision is located within the City’s Extraterritorial Jurisdiction (ETJ). The entire 135-acre tract is currently undergoing the annexation process, voluntarily initiated by the property owner. All lots front Old Pidcoke Road and have received County approval for ROW access. All lots are to be serviced by both existing City Water and Sanitary Sewer as described through the Municipal Services Agreement as part of the Voluntary Annexation Petition filed by property owner. No public improvements are necessary as part of this subdivision proposal, as such engineering documentation, is not needed. The proposed land use is residential homesites. This use is compatible with the preliminary “ZONING PENDING” classification automatically received by newly annexed property o This use is compatible with the proposed initial zoning of “AGRICULTURAL AND SUBURBAN HOMESITES” currently under consideration. The plat application complies with all other provisions outlined in the city’s subdivision ordinance and applicable State Statutes. Following approval of the plat application from the Planning & Zoning Commission, the application will be forwarded to the City Council for their review and final decision. Staff recommends the Planning & Zoning Commission conditionally approve the plat application to subdivide a 12.00-acre tract of land from the William Suggett Survey to be known as the Berry Estates. Condition for approval: The Berry Estates plat application will be automatically approved by the Planning & Zoning Commission pending a full approval of the voluntary annexation petition “Berry Estates Plat” (Moreland plat). Conditionally Approved.

Plat conditionally approved pending full annexation. Failure to annex the property would yield disapproval. Plat application does not go to City Council until the P & Z conditional approval is satisfied. Wyllis stated that he doesn’t believe there is enough fire protection, water, and sewer services to get this property zoned Ag-Suburban. Rene stated the city engineers determined that the water & sewer is adequate. Bob motioned to approve pending annexation; Teresa seconded all in favor except Wyllis disapproved.

Agenda Item 8 & 9 – “Zoning Code Amendment” (Public Hearing and Action). Removed from agenda. Agenda items removed from agenda due to not being able to place a public notice in the newspaper in time for the public hearing as required by State Law. Instead, staff briefed P&Z about the need to amend the code and an overview of the proposed changes. Commission given a copy of the draft ordinance for their review. Agenda Items to be officially considered at a later date.

1. Adjourn meeting at 6:20 p.m. this 6th day of November 2023.

John Clawson, CHAIRPERSON

Teresa Johnson, VICE CHAIRPERSON



Agenda Item # 8

PLANNING & ZONING MEMORANDUM

Date: April 22, 2024

To: Planning & Zoning Commission

From: Scott L. Albert, City Manager

Agenda Item: Discussion and possible action on an Ordinance amending the City's Zoning Ordinance by amending Table IV "Uniform Height and Area Regulations", by amending various sections of Section 11 "Zoning District Descriptions" to clarify the applicability of Table IV, and by amending Section 13 "Administration and Enforcement" by adding a new Section 13-7 "Conflicts Between Tables and Code Text".

Information:

The administration recently became aware of discrepancies between the City's zoning ordinance area regulations and the actual building permits issued by the city across various zoning districts.

Currently, the city addresses these discrepancies by seeking variances from the Board of Adjustments (BOA) when a builder's request for a building permit does not align with a zoning district's area regulations. However, it is likely that the BOA may not be the appropriate mechanism for correcting these misalignments.

Therefore, the ordinance presented this evening marks the initial step in rectifying the city's zoning ordinance. It aims to establish area regulations that better reflect the long-standing practices observed in the city. The staff acknowledges the necessity of initiating the process to rewrite the City's zoning ordinance. We are presently in the process of seeking grant funds to finance the drafting of a new city zoning ordinance.

Staff Recommendation:

The staff recommends that the Planning & Zoning Commission recommend to the City Council the approval of the amendments to the zoning city code as outlined in the ordinance presented this evening.

Motion:

I move to recommend to the City Council the amendments of the zoning ordinance concerning Section 11 (Table IV) and Section 13 as presented in the draft ordinance to the Planning and Zoning Commission this evening.

Attachments:

- Memorandum from the City's Planning Consultant- David Jones.

- Ordinance amending the city code regarding mobile, manufactured, and modular homes.

Staff Contacts:

Scott Albert, City Manager – salbert@gatesvilletx.com



PLANNING AND ZONING MEMORANDUM

DATE: 4/22/2024

AGENDA ITEM #: #8

ITEM TITLE: Discussion and Possible Action on an Ordinance amending the City’s Zoning Ordinance by amending Table IV “Uniform Height and Area Regulations”, by amending various sections of Section 11 “Zoning District Descriptions” to clarify the applicability of Table IV, and by amending Section 13 “Administration and Enforcement by adding a new Section 13-7 “Conflicts Between Tables and Code Text”

DEPARTMENT: Planning and Development Services

BACKGROUND INFORMATION:

City records indicate that since 2021, building permits have been issued for homes that are below Gatesville’s current minimum single-family residential building size of 3,750 square feet in single-family districts and 8,000 square feet in estate districts. In the last three years, the average single-family residential building area permitted was 2,188 square feet. The smallest single-family residential building area permitted was 1,326 square feet and the largest was 3,443 square feet. None of these dwellings would be permissible under the current area regulations. The City’s height and area regulations are currently housed primarily within Table IV: Uniform Height and Area Regulations. This table is not housed in the Zoning Ordinance, making it difficult to cross reference and problematic to enforce. The language of the Zoning Ordinance refers to area regulations for zoning districts and buildings but does not reference the document correctly.

PURPOSE OF AMENDMENT:

The proposed draft amendment intends to correct the deficiency described above. The proposed amendment includes the following:

1. Update to Table IV: Uniform Height and Area Regulations as follows:
 - Revise the building area requirements for the Residential Single Family, Residential Two-Four Family, and Mobile Home Districts to a minimum of 1,200 square feet, reflecting the sizes of homes that have been permitted in Gatesville over the past ten years.
 - Revise the building area requirements for the Agricultural and Suburban Homesites District to a minimum of 1,600 square feet, to reflect the sizes of homes that have been permitted in Gatesville over the past years and to be in line with surrounding City’s standards for estate/agricultural residential building sizes,
 - Correct the language pertaining to the Interior Side Yard Setback to reflect the requirements found within the Zoning Ordinance for the Townhouse Single Family, Business Commercial, and Industrial Districts. The previous table did not list the requirements in line with the code text, so this is just a change to clean up the table, not a substantive change to the regulations.
 - Clean up several formatting issues with the current table to improve usability.
2. Revise the following sections of the Zoning Ordinance to ensure Table IV is properly referenced and enforceable:
 - Table of Contents; 11-1(E); 11-1-1(E); 11-3(E); 11-4(E); 11-5(E); 11-6(E); 11-7(E); 11-8(E); and 11-9(E).
3. Add Section 13-7 to the City’s Zoning Ordinance to clarify that the text of the ordinance shall govern if there is conflict between a table and the text of the ordinance.

RECOMMENDATION:

Staff recommends the Planning & Zoning Commission approve a recommendation to City Council to adopt the proposed amendment to the Zoning Ordinance.

ORDINANCE NO: 2024-02

AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GATESVILLE, AS PREVIOUSLY AMENDED, BY AMENDING TABLE IV: UNIFORM HEIGHT AND AREA REGULATIONS, BY AMENDING VARIOUS SECTIONS OF SECTION 11 “ZONING DISTRICT DESCRIPTIONS” TO CLARIFY THE APPLICABILITY OF TABLE IV, AND BY AMENDING SECTION 13 “ADMINISTRATION AND ENFORCEMENT” BY ADDING A NEW SECTION 13-7 “CONFLICTS BETWEEN TABLES AND CODE TEXT”; THE ZONING ORDINANCE PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Gatesville, Texas, in compliance with the laws of the State of Texas and the Ordinances of the City of Gatesville, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all persons interested and in the exercise of its legislative discretion, the City Council has concluded that the Code of Ordinances of the City of Gatesville, Texas, as previously amended, should be further amended as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS THAT:

SECTION 1. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Table IV – Uniform Height and Area Regulations by repealing that table in its entirety and replacing it with the Table IV – Uniform Height and Area Regulations attached hereto and incorporated herein by this reference as Exhibit “A.”

SECTION 2. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 11 “Zoning District Descriptions” by amending Section 11-1 “Residential/Single-Family” at its subsection E, “Height and Area Regulations” to read as follows:

“Section 11 ZONING DISTRICT DESCRIPTIONS

. . .

SECTION 11-1 RESIDENTIAL/SINGLE-FAMILY

. . .

E. Height and Area Regulations

The regulations set forth in Table IV, Uniform Height and Area Regulations, shall apply to all buildings, walls, and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance.

. . . .”

SECTION 3. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 11 “Zoning District Descriptions” by amending Section 11-1-1 “Townhouse Residential/Single-Family”, at its subsection E, “Height and Area Regulations” to read as follows:

“Section 11 ZONING DISTRICT DESCRIPTIONS

...

SECTION 11-1-1 TOWNHOUSE RESIDENTIAL/SINGLE-FAMILY

...

E. Height and Area Regulations

The regulations set forth in Table IV, Uniform Height and Area Regulations, shall apply to all buildings, walls, and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance. The side lot side yards shall be six feet (6’) when adjoining another lot and zero feet (0) feet when adjoining another dwelling unit on the same platted lot.

...”

SECTION 4. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 11 “Zoning District Descriptions” by amending Section 11-3 “Agricultural and Suburban Homesites District” at its subsection E “Uniform Height and Area Regulations” to read as follows:

“Section 11 ZONING DISTRICT DESCRIPTIONS

...

SECTION 11-3 AGRICULTURAL AND SUBURBAN HOMESITES DISTRICT

...

E. Uniform Height and Area Regulations

The regulations set forth in Table IV, Uniform Height and Area Regulations, shall apply to all buildings, walls, and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance.

...”

SECTION 5. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 11 “Zoning District Descriptions” by amending Section 11-4 “Family Dwelling Units” at its subsection E “Uniform Height and Area Regulations” to read as follows:

“Section 11 ZONING DISTRICT DESCRIPTIONS

...

SECTION 11-4 FAMILY DWELLING UNITS

...

E. Uniform Height and Area Regulations

The regulations set forth in Table IV, Uniform Height and Area Regulations, shall apply to all buildings, walls, and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance.

...”

SECTION 6. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 11 “Zoning District Descriptions” by amending Section 11-5 “Residential Multi-Family” at its subsection E “Uniform Height and Area Regulations” to read as follows:

“Section 11 ZONING DISTRICT DESCRIPTIONS

...

SECTION 11-5 RESIDENTIAL MULTI-FAMILY

...

E. Uniform Height and Area Regulations

The regulations set forth in Table IV, Uniform Height and Area Regulations, shall apply to all buildings, walls, and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance.

...”

SECTION 7. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 11 “Zoning District Descriptions” by amending Section 11-6 “Business/Commercial” at its subsection E “Uniform Height and Area Regulations” to read as follows:

“Section 11 ZONING DISTRICT DESCRIPTIONS

...

SECTION 11-6 BUSINESS/COMMERCIAL

...

E. Uniform Height and Area Regulations

The regulations set forth in Table IV, Uniform Height and Area Regulations, shall apply to all buildings, walls, and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance. In addition to the Uniform Regulations, there shall be furnished minimum side yards as follows: six (6) feet when adjoining any residential district and zero (0) feet when adjoining nonresidential districts provided that if a side yard is provided it shall be not less than three (3) feet.

....”

SECTION 8. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 11 “Zoning District Descriptions” by amending Section 11-7 “Mobile Home District” at its subsection E “Uniform Height and Area Regulations” to read as follows:

“Section 11 ZONING DISTRICT DESCRIPTIONS

...

SECTION 11-7 MOBILE HOME DISTRICT

...

E. Uniform Height and Area Regulations

The regulations set forth in Table IV, Uniform Height and Area Regulations, shall apply to all buildings, walls, and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance.

....”

SECTION 9. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 11 “Zoning District Descriptions” by amending Section 11-8 “Mobile Home Park District” at its subsection E “Uniform Height and Area Regulations” to read as follows:

“Section 11 ZONING DISTRICT DESCRIPTIONS

...

SECTION 11-8 MOBILE HOME PARK DISTRICT

...

E. Uniform Height and Area Regulations

The regulations set forth in Table IV, Uniform Height and Area Regulations, shall apply to all buildings, walls, and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance.

...”

SECTION 10. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 11 “Zoning District Descriptions” by amending Section 11-9 “Industrial” at its subsection E “Uniform Height and Area Regulations” to read as follows:

“Section 11 ZONING DISTRICT DESCRIPTIONS

...

SECTION 11-9 INDUSTRIAL

...

E. Uniform Height and Area Regulations

The regulations set forth in Table IV, Uniform Height and Area Regulations, shall apply to all buildings, walls, and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance. In addition to the Uniform Regulations, there shall be furnished minimum side yards as follows: six (6) feet when adjoining any residential district and zero (0) feet when adjoining nonresidential districts provided that if a side yard is provided it shall be not less than three (3) feet.

...”

SECTION 11. The Zoning Ordinance of the City of Gatesville, Texas, as heretofore amended, shall be, and the same is hereby amended by amending Section 13 “Administration and Enforcement”, to add a new Section 13-7 “Conflicts Between Tables and Code Text” which shall in its entirety read as follows:

“Section 13 – ADMINISTRATION AND ENFORCEMENT

...

SECTION 13-7 CONFLICTS BETWEEN TABLES AND CODE TEXT

Where the language or regulations found within a table associated with the Zoning Ordinance conflicts with the language or regulations found within the text of the Zoning Ordinance, the text of the ordinance shall govern.”

SECTION 12. All ordinances, orders, or resolutions heretofore passed and adopted by the City Council of the City of Gatesville are hereby repealed to the extent that said ordinances, orders, or resolutions or parts thereof are in conflict herewith.

SECTION 13. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance or application thereof to any person or circumstance be held to be invalid, void or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of said ordinance, which remaining portions shall remain in full force and effect.

SECTION 14. Any person, firm or corporation violating any of the provisions of this Ordinance shall be subject to the same penalty as provided for in the Gatesville Code of Ordinances, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 15. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 16. This ordinance shall take effect immediately from and after its passage and publication as may be required by law.

The foregoing Ordinance No. 2024-02 was read the first time April 23, 2024, and passed to the second reading on the 14th day of May, 2024.

The foregoing Ordinance No. 2024-02 was read the second time on May 14, 2024, and passed to the third reading on the 28th day of May, 2024.

The foregoing Ordinance No. 2024-02 was read the third time and was passed and adopted as an Ordinance of the City of Gatesville, Texas this 28th day of May, 2024.

DULY PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, ON THIS THE _____ DAY OF _____ 2024.

APPROVED:

GARY CHUMLEY, MAYOR

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney

ATTEST:

Wendy Cole, City Secretary

EXHIBIT A
Table IV – Uniform Height and Area Regulations

Exhibit A

City of Gatesville Table IV Uniform Height and Area Regulations											
Zoning District	Minimum Lot Requirements			Minimum Yard Setback Requirements			Maximum Height Requirements				
	Lot Area	Lot Width	Dwelling Size	Lot Area Per Dwelling	Front	Interior Side	Street Side	Rear	Building	Wall, Fence, Etc. Front	Wall, Fence, Etc. Other
Residential Single Family	8000sf		1200sf	8000sf	25ft	6ft	10ft	10ft	30ft	4ft	7ft
Townhouse Single Family		100ft	NR	NR	25ft	six feet when adjoining another lot and zero feet when adjoining another dwelling unit on the same platted lot	10ft	10ft	30ft	4ft	7ft
Community Facility											
Agricultural and Suburban Homesites Residential Two-Four Family Multi-Family	15000sf	100ft	1600sf	15000sf	30ft	6ft	10ft	10ft	30ft	4ft	7ft
	6000sf	60ft	1200sf	1500sf	20ft	6ft	10ft	10ft	30ft	4ft	7ft
	16000sf	100ft	9800sf	NR	20ft	20ft	20ft	20ft	NR	4ft	7ft
Business Commercial	NR	NR	NR	NR	10ft	6 feet when adjoining any Living Area Zone. 0 feet along other zones, but, if a side yard is provided it shall be not less than 3 feet.	10ft	20ft	NR	NR	NR
Manufactured Home	6000sf	60ft	1200sf	6000sf	20ft	6ft	10ft	10ft	30ft	4ft	7ft
Manufactured Home Park											
Industrial	NR	NR	NR	NR	NR	6 feet when adjoining any Living Area Zone. 0 feet along other zones, but if a side yard is provided it shall be not less than 3 feet.	10ft	10ft	20ft	NR	NR
Planned Development											

See Zoning District Regulations

**New Single-Family Residential
Last 3 Years, Permitted Dwelling Area**

Address	Sq. Ft
105 Elms Ln.	2,100
107 Elms Ln.	1,949
105 Westwood Park	3,215
116 Inwood Dr.	3,215
616 S. Lovers Ln.	3,443
109 Willow Ln.	1,575
110 Inwood Dr.	2,226
1205 Westview Dr.	1,406
128 Sunny Ln.	2,243
108 Inwood Dr.	2,088
630 River Rd.	2,895
101 Inwood Dr.	2,128
113 Northern Ave.	2,265
103 Inwood Dr.	2,226
112 Inwood Dr.	1,927
106 Inwood Dr.	1,927
105 Inwood Dr.	2,088
104 Inwood Dr.	1,802
3605 Church Hill Dr.	1,954
301 Woods Dr.	1,476
303 Woods Dr	1,697
305 Woods Dr	1,326
331 Straws Mill Rd.	2,170
800 N Lovers Ln	3,164
AVERAGE	2,188
MAXIMUM	3,443
MINIMUM	1,326
MEDIAN	2,094

Dwelling Size Regulation Other Cities in Gatesville Area		
City	Dwelling Type	Min Sq. Ft
McGregor	Single-Family	1,000
	Single-Family Estate	1,600
	Manufactured Home	1,200
Hewitt	Single-Family, Low Density (one bedroom)	1,000
	Single-Family, High Density (one bedroom)	650
Robinson	Single-Family Rural Estate	1,800
	Agricultural	1,600
	Single-Family Residential	1,350
	Manufactured Home	1,200
AVERAGE		1,267
MEDIAN		1,200



Agenda Item # 10

PLANNING & ZONING MEMORANDUM

Date: April 22, 2024

To: Planning & Zoning Commission

From: Scott L. Albert, City Manager

Agenda Item: Discussion and possible action amending the city code of ordinances in regard to Mobile, Manufactured, and Modular homes.

Information:

Last summer, city staff determined that the city had been incorrectly permitting HUD code manufactured homes (mobile homes) anywhere in the city where a single-family dwelling would be allowed.

For some time, city staff operated under the belief that HUD code manufactured home dwellings/mobile homes, although not explicitly mentioned in the city's zoning ordinance, aligned with the definition of "single-family dwelling." Consequently, HUD Manufactured Homes/Mobile Homes were deemed permissible in any district where a single-family dwelling would be allowed. However, this interpretation was based on a previous version of the 1995 "single-family dwelling" definition in the Zoning Ordinance, overlooking a critical amendment to the definition of single-family dwelling" adopted by the City Council in 1998. As a result of not following the appropriate definition for "single family dwelling", the city has unknowingly issued permits for HUD Manufactured Homes/Mobile Homes to be placed unlawfully in various districts throughout the city for several years where they should not have been placed. This amendment clarifies the placement of HUD Manufactured Homes and Mobile Homes to only three specific districts: Mobile Home Districts, Mobile Home Park Districts, and Industrial Districts. Below the definitions for a single-family dwelling in 1995 and 1998.

1995 single-family dwelling definition – "a building designed for or occupied exclusively by one family". Under this definition, staff permitted the placement of mobile homes/HUD code manufactured homes anywhere in the city where a single-family dwelling would be allowed.

1998 single-family dwelling definition – "a building designed for or occupied exclusively by one family which may be a modular home or a home fully constructed upon premises where its located". It's important to note a modular home differs from a mobile home/HUD code manufactured home. Based on this definition a mobile home/HUD manufactured home is only permitted in three zoning districts; mobile home districts, mobile home park districts, and Industrial districts.

In September the City Council collaborated with the City Attorney to draft an amendment to the city's zoning ordinance aimed to rectify and clarify certain definitions within the city's zoning ordinance and

specify the permissible locations where HUD Manufactured Homes/Mobile Homes can be placed within the city limits. Additionally, the council, in coordination with the City Attorney, addressed the city's past errors with improperly placing HUD Manufactured/Mobile homes.

The revised ordinance, provides legal (as opposed to the currently existing illegal) nonconforming status to any manufactured homes existing on lots in districts where they are not legally allowed, provided they were in use as dwellings on the date of the ordinance's adoption. The grandfathering provision in the zoning ordinance allows replacement, repair, or substitution of a legal, nonconforming manufactured home that does not expand the area/footprint occupied at the time of passage of the ordinance, calls for the extinguishment of the legal nonconforming status if use ceases for 12 months, and allows the legal nonconforming status to continue if the property is sold. Finally, the ordinance provides that the City will provide a 180-day registration period (registration is at the option of the owner) for these legal, nonconforming manufactured homes and that registration creates a presumption of legal nonconforming status. The City could rebut that presumption with clear and direct evidence that, in fact, the use did not exist as required to be a legal nonconforming use.

The revised zoning ordinance also modifies the text of the City's Zoning Ordinance. It repeals numerous definitions related to mobile, manufactured, and/or modular homes, replacing them with updated definitions. The ordinance introduces several new definitions, including one for "manufactured housing," encompassing mobile homes, and HUD Code manufactured homes. Furthermore, it renames two zoning districts from Mobile Home District and Mobile Home Park District to Manufactured Home District and Manufactured Home Park District. Minor revisions were made to improve clarity.

Why this Amendment to the Zoning Ordinance is Important for Property Owners in the City:

If your property is an illegal use in a manner that violates zoning regulations, it may pose challenges when attempting to sell. A title company's determination of such illegal use could impede a potential buyer's ability to secure financing for the purchase. Additionally, insurance companies may be unwilling to provide coverage for your property under such circumstances.

Staff Recommendation:

The staff recommends that the Planning & Zoning Commission recommend to the City Council the approval of the amendments to the city zoning ordinance for mobile, manufactured, and modular homes as presented this evening in a draft ordinance amending the codes of ordinances.

Motion:

I move to recommend to the City Council the amendment of the zoning ordinance concerning mobile, manufactured, and modular homes as presented in the draft ordinance to the Planning and Zoning Commission this evening.

Attachments:

- Memorandum from the City's Planning Consultant- David Jones.
- Ordinance amending the city code regarding mobile, manufactured, and modular homes.

Staff Contacts:

Scott Albert, City Manager – salbert@gatesvilletx.com

DATE: 4/22/2024

AGENDA ITEM #: #10

ITEM TITLE: Discussion and possible recommendation regarding an ordinance of the City of Gatesville, Texas, amending the Gatesville Code of Ordinances, as previously amended, in regard to Mobile, Manufactured, and Modular Homes.

DEPARTMENT: Planning and Development Services

BACKGROUND INFORMATION:

The City's prior zoning ordinance, adopted in 1995, did not differentiate between mobile and manufactured homes, as it predated 2003 federal legislation that drew a distinction between "mobile homes" and HUD Code "manufactured homes". After 2003, the city's zoning ordinance was not updated to reflect the required federal law distinctions. The City's zoning code does allow for mobile home dwelling as an acceptable use in certain zoning districts: Mobile Home Districts, Mobile Home Park Districts, and Industrial Districts. Since "manufactured home" is not specified as an allowed use at all, the City currently has two options under the current code language: (1) interpret its zoning ordinance and map as completely prohibiting manufactured homes in all districts, which may expose the City to Fair Housing challenges, or (2) take the stance that although the use is not expressly listed, it is implicitly included in the "mobile home dwelling" use because at the time of its inception, there was no distinction between mobile and manufactured homes, and the City has historically treated them as equivalent.

Prior to 1998, the definition of "single-family dwelling" in the Gatesville Code of Ordinances was simply "a building designed for or occupied exclusively by one family. In October 13, 1998, the definition was revised to include "A building designed for or occupied exclusively by one family which may be a modular home or a home fully constructed upon the premises where it is located." It is evident that a manufactured home does not meet the criterion of being fully constructed upon the premises where it is located. Similarly, it also does not fit the definition (in the zoning ordinance) of a modular home. Thus, the zoning ordinance's definition of a single-family dwelling does not encompass manufactured homes.

Recently, the city has practiced allowing "HUD Code manufactured home dwelling" as an acceptable use in Industrial, Mobile Home, and Mobile Home Park zoning districts, while disallowing it in other zoning districts, including business commercial.

PURPOSE OF UPDATE:

The proposed draft amendment is intended to correct the issue described above. The proposed amendment includes the following:

1. Correct the definitions within the Zoning Ordinance regarding mobile, manufactured, and modular homes as follows:
 - Repeal the current definitions for "Dwelling, Doublewide Mobile Home," "Dwelling, Mobile Home," "Dwelling, Modular Home," "Mobile Home," "Mobile Home Park," "Mobile Home Space," and "Modular Building" set forth in Section 2, "Definitions", Section 2.3," General Definitions."
 - Add new definitions for "HUD-code manufactured home," "Manufactured home," "Manufactured Home Park," "Manufactured Home Space," "Manufactured Home Stand", "Mobile home," and "Modular home."
2. Replace references to the following:
 - All references to "Mobile Home Park" will be replaced with "Manufactured Home Park";

- All references to “Mobile Home District” will be replaced with “Manufactured Home District”;
 - All references to “Mobile Home Space” will be replaced with “Manufactured Home Space”; and
 - All references to “Mobile home stand” will be replaced with “Manufactured home stand”.
3. Rename Sections 11-7 and 11-8 of Section 11 “Zoning District Descriptions” to be, respectively, “Section 11-7 Manufactured Home District” and “Section 11-8 Manufactured Home Park District.”
 4. Amend portions of Sections 11-7 and 11-8 of Section 11 “Zoning District Descriptions”; and
 5. Add a new section 6-5 “Legal Non-Conforming Manufactured Homes” to Section 6 “Non-Conforming Lots, Structures, and Uses”.

The proposed amendments will allow the City to clearly delineate that manufactured homes are allowed within the City, are distinct from mobile homes, and are only allowed within the MH and MHP districts.

RECOMMENDATION:

Staff recommends the Planning & Zoning Commission approve a recommendation to City Council to adopt the proposed amendment to the Zoning Ordinance.

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS, AMENDING THE GATESVILLE CODE OF ORDINANCES, AS PREVIOUSLY AMENDED, IN REGARD TO MOBILE, MANUFACTURED, AND MODULAR HOMES; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Gatesville, Texas, in compliance with the laws of the State of Texas and the Ordinances of the City of Gatesville, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all persons interested and in the exercise of its legislative discretion, the City Council has concluded that the Code of Ordinances of the City of Gatesville, Texas, as previously amended, should be further amended as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, THAT:

SECTION 1. The City of Gatesville Zoning Ordinance, as heretofore amended, is hereby amended by repealing in their entirety the definitions of “Dwelling, Doublewide Mobile Home,” “Dwelling, Mobile Home,” “Dwelling, Modular Home,” “Mobile Home,” “Mobile Home Park,” “Mobile Home Space,” and “Modular Building” set forth in Section 2, “Definitions”, Section 2.3,” General Definitions.”

SECTION 2. The City of Gatesville Zoning Ordinance, as heretofore amended, is hereby amended at section 2, “Definitions”, Section 2.3 “General Definitions” by adding new definitions for “HUD-code manufactured home,” “Manufactured home,” “Manufactured Home Park,” “Manufactured Home Space,” “Manufactured Home Stand”, “Mobile home,” and “Modular home”, to read as follows:

“SECTION 2 – DEFINITIONS

Section 2.3 General Definitions

...

HUD-CODE MANUFACTURED HOME – A structure constructed at the factory on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development; built on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in one or more sections; and in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; includes the plumbing, heating, air conditioning, and electrical systems of the home; and does not include a recreational vehicle as defined by 24 CFR Section 33282.8(g).

Prior to being brought into the City, a HUD code manufactured home that has been structurally changed since acquiring its HUD sticker or that does not appear to be habitable in its current condition, must undergo a habitability study by an approved HUD inspector and all recommended repairs must be made prior to entry into the City.

...

MANUFACTURED HOME – A HUD-code manufactured home or a mobile home and collectively means and refers to both.

MANUFACTURED HOME PARK – Any plot of ground upon which two or more manufactured homes occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation.

MANUFACTURED HOME SPACE - A plot of ground within a Manufactured Home Park designed for the accommodation of one manufactured home.

MANUFACTURED HOME STAND – That part of a manufactured home space which has been reserved for the placement of one manufactured home.

MOBILE HOME – A structure constructed at the factory before June 15, 1976 on a permanent chassis; designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; transportable in one or more sections; and in the traveling mode, at least eight body feet in width or at least 40 body feet in length, or when erected on site, at least 320 square feet; and includes the plumbing, heating, air conditioning, and electrical systems of the home. Prior to being brought into the City, a mobile home must undergo a habitability study performed by an approved HUD inspector and recommended repairs must be made prior to entry into the City. Any replacement of a mobile home must be with a HUD-code manufactured home.

MODULAR HOME – A structure for use as a dwelling with a permanent foundation, such structure being prefabricated at the factory and designed to be transported in room-size sections, with all plumbing, heating, air conditioning, and electrical systems installed so that sections can be joined together at the home site to form a finished product; must be constructed in accordance with all applicable state and local building codes. A modular home is assembled at the site as a permanent structure that is not designed to be moved once it is in place.

...”

SECTION 3. The Gatesville Zoning Ordinance is hereby amended to replace all references in the Gatesville Zoning Ordinance to “Mobile Home Park” with “Manufactured Home Park,” to “Mobile Home District” with “Manufactured Home District”, to “Mobile Home Space” with “Manufactured Home Space,” and to “Mobile home stand” to “Manufactured home stand”. This amendment will include, but is not limited to, the renaming of Sections 11-7 and 11-8 of Section

11 “Zoning District Descriptions” to be, respectively, “Section 11-7 Manufactured Home District” and “Section 11-8 Manufactured Home Park District.”

SECTION 4. The Gatesville Zoning Ordinance is hereby amended at Section 11 “Zoning District Description”, Section 11-7 “Mobile Home District” by renaming Section 11-7 “Manufactured Home District” and by further amending the section 11-7 to read as follows::

“SECTION 11-7 MANUFACTURED HOME DISTRICT

A. Purpose of District

The Manufactured Home District is designed to provide sufficient areas for manufactured homes and open space. Urban type public improvements are required for adequate service for dwellings of this area.

B. Principal Uses

1. Manufactured Home (one per lot)
2. Any use allowed in the Business Commercial zoning district.

C. Accessory Uses

...

- e. In this district a manufactured home must only be utilized as a dwelling and for no other use or purpose. Recreational vehicles may not be occupied in a manufactured home district.

....”

SECTION 5. The Gatesville Zoning Ordinance is hereby amended at Section 11 “Zoning District Description”, Section 11-8 “Mobile Home Park District” by renaming section 11-8 “Manufactured Home Park District” and by amending section 11-8 to read as follows:

“SECTION 11-8 MANUFACTURED HOME PARK DISTRICT

A. Purpose of District

The manufactured home park district is designed for the specific residential environmental needs of manufactured home dwellers. Individual manufactured home spaces are located in designated manufactured home parks. Traditional urban-type public improvements must be supplemented by special on-site facilities for recreation, storage, fire protection, and waste disposal.

B. Principal Use

In this district, no building, structure, or land shall be used, and no structure or building shall be erected, constructed, reconstructed, or structurally altered or enlarged except for one or more of the following principal uses:

1. Manufactured home park.
2. All principal uses allowed in the Manufactured Home District.

...

E. Uniform Height and Area Regulations

...

3. Tract requirements: . . .

...

c. Bulk controls: Maximum floor area ration for manufactured homes: 0.4, based upon total area in park less commercial and common use areas, driveways, and permanent dwelling.

d. Length of residential occupancy: No space shall be rented for residential use of a manufactured home in any such park except for periods of thirty (30) days or more.

....”

SECTION 6. The Gatesville Zoning Ordinance, as heretofore amended, is hereby amended by adding a new section 6-5 “Legal Non-Conforming Manufactured Homes” to Section 6 “Non-Conforming Lots, Structures, and Uses” to read in its entirety as follows:

“SECTION 6-5 LEGAL NON-CONFORMING MANUFACTURED HOMES

A. Grant of Legal Nonconforming Status. Any manufactured home, as that term is defined in this ordinance, existing, on the date of adoption of this Section 6-5 and further on that date being occupied and used as a dwelling and located on a lot in a zoning district other than manufactured home district, manufactured home park district, or industrial district, although otherwise not legally allowed in such district, is hereby granted legal, non-conforming status such that the manufactured home and its use as a dwelling may remain and continue on such lot upon the following conditions:

1. Replacement.

a. The owner of any such manufactured home which is owner-occupied may replace such manufactured home with a newer HUD Code manufactured home without losing the legal, non-conforming status.

b. The owner of any such manufactured home which is not owner-occupied may make one replacement of such manufactured home with a newer HUD Code manufactured home without losing the legal nonconforming status in the following circumstances:

i. the manufactured home is destroyed by fire, weather, or natural disaster and is replaced with a newer HUD Code manufactured home within twelve (12) months of such destruction; or

- ii. the manufactured home is removed and replaced by the owner with a newer HUD Code manufactured home where (1) the application for construction permit for the replacement is filed with the City within thirty (30) days of removal of the original manufactured home and (2) construction and installation of the replacement HUD Code manufactured home is completed within six (6) months of issuance of the construction permit.
 - c. The deadlines set forth in subsection 1.b.i and ii of this section 6-5 may be extended by the City's Building Official upon presentation of evidence of unforeseeable and unavoidable events beyond the manufactured home owner's control which interrupt the course of events and prevent or are reasonably likely to prevent the owner from complying with such deadlines.
 - d. All replacement HUD Code manufactured homes shall be used as a dwelling. Any replacement other than as allowed by this section shall result in loss of legal, nonconforming status.
- 2. Transfer. Transfer of ownership of the real property together with the manufactured home shall not extinguish the legal, non-conforming status of the manufactured home.
- 3. Abandonment. The legal non-conforming status of such manufactured home shall be considered abandoned and shall be extinguished if the property, lot, structure, manufactured home, or use is discontinued, ceases or is vacated for more than one (1) year.
- B. Optional Registration Period. The City shall make available at City Hall and on the City's official website for a period of 180 days from adoption of this section 6-5, an optional registration form by which an owner of any manufactured home that meets the criteria for legal, non-conforming status as of the date of adoption of this Section 6-5, may register the manufactured home with the City. Such registration will result in a presumption of the legal, non-conforming status of the manufactured home."

SECTION 7. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, or the Gatesville Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 8. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Gatesville Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 9. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Gatesville Code of Ordinances, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 10. This ordinance shall take effect immediately from and after its passage.

The foregoing Ordinance No. 2024-03 was read the first time April 23, 2024, and passed to the second reading on the 14th day of May, 2024.

The foregoing Ordinance No. 2024-03 was read the second time on May 14, 2024, and passed to the third reading on the 28th day of May, 2024.

The foregoing Ordinance No. 2024-03 was read the third time and was passed and adopted as an Ordinance of the City of Gatesville, Texas this 28th day of May, 2024.

DULY PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, ON THIS THE _____ DAY OF _____ 2024.

APPROVED:

GARY CHUMLEY, MAYOR

APPROVED AS TO FORM:

ATTEST:

Victoria W. Thomas, Special Counsel
4864-4188-6596, v. 3

Wendy Cole, City Secretary