

NOTICE

**THIS NOTICE IS POSTED IN COMPLIANCE WITH THE OPEN MEETING ACT
(TEX. GOV'T. CODE CHAPTER 551, SEC. 551.041)**

**AGENDA FOR PLANNING & ZONING WORKSHOP AND P & Z COMMISSION MEETING
5:30 P.M.
GATESVILLE COUNCIL CHAMBERS
110 NORTH 8TH STREET, GATESVILLE, TEXAS 76528
MAY 6, 2024**

An Open Meeting will be held concerning the following subjects:

1. Call Workshop to Order

Discussion 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".

2. Adjourn Workshop-----

1. Call Regular Planning & Zoning Commission Meeting to order -----

2. Announcement of Quorum

3. Citizens/Public Comments Forum: Individuals wishing to address the Planning & Zoning Commission 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 Planning & Zoning Commission cannot deliberate or act on items not listed on the meeting agenda.

4. Discussion and possible action regarding approval of Minutes from the Planning & Zoning Commission Meeting held on April 22, 2024.

6. 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".

7. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 2nd day of May, 2024 by 5:00 p.m. on the official City of Gatesville website, www.gatesvilletx.com and the official bulletin boards at 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 MEMORANDUM

DATE: 5/6/2024

AGENDA ITEM #: #1 for Workshop & #6 for P & Z Commission Meeting

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.

OPTIONS FOR CONSIDERATION:

The proposed amendment includes a minimum house size to clarify the minimum as it could be interpreted that the intent of the previous table was to establish such a regulation. Establishment of minimum home size is only one aspect of this amendment to be considered, with the crucial element being the clarification of what is meant by “Bldg. Area”. In an attempt to resolve questions of application of Table IV, the following options are presented for consideration and recommendation:

- Option 1: revise the title “Bldg. Area” to “Buildable Area” and define as “The portion of the lot provided for construction of the main building and accessory buildings exclusive of any required yard and of any easement.” This change would resolve the current interpretive question regarding building area. Since this option presumes that the column labeled “Bldg. Area” does not seek to regulate the size of a structure, there would be no minimum house size introduced.
- Option 2: Eliminate the “Bldg. Area” column (in the current table) and exclude “Minimum Dwelling Size” (in the proposed table). This option would regulate the minimum buildable area through the minimum yard requirements, with any lot space remaining outside of the required yards being considered buildable.
- Option 3: As presented, with the “Bldg. Area” column (in the current table) changed to “Minimum Dwelling Size” and the minimum structure size as shown. This option presumes that the intent of the current zoning ordinance is to regulate structure size and introduces a minimum dwelling size similar to surrounding communities and the construction that has occurred in Gatesville over the past several years.

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 | 100ft | NR | 8000sf | 25ft | 6ft | 10ft | 10ft | 30ft | 4ft | 7ft |
| Townhouse Single Family | | 100ft | NR | NR | 25ft | 6ft | 10ft | 10ft | 30ft | 4ft | 7ft |
| Community Facility | | | | | | | | | | | |
| Agricultural and Suburban Homesteads | 15000sf | 100ft | 1600sf | 15000sf | 30ft | 6ft | 10ft | 10ft | 30ft | 4ft | 7ft |
| Residential Two-Four Family | 6000sf | 60ft | 2800sf | 1500sf | 20ft | 6ft | 10ft | 10ft | 30ft | 4ft | 7ft |
| Multi-Family | 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 |
| Mobile Home | 6000sf | 60ft | 1200sf | 6000sf | 20ft | 6ft | 10ft | 10ft | 30ft | 4ft | 7ft |
| Mobile 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

See Zoning District Regulations

See Zoning District Regulations

TABLE IV UNIFORM HEIGHT AND AREA REGULATIONS

| Zoning District | Minimum Lot Requirements | | | Yard Requirements | | | Height Requirements | | | Minimum Lot Area Per Dwelling (Square Feet) | Updated |
|-----------------------------------|--------------------------|------------------|--------------------------|-------------------|---|-------------|----------------------------|--------------|--------------|---|---------------------|
| | Lot Area (Square Feet) | Lot Width (Feet) | Bldg. Area (Square Feet) | Front (Feet) | Side (Feet) | Rear (Feet) | Walls, Fences, Etc. (Feet) | Front (Feet) | Other (Feet) | | |
| Residential Single Family | 8000 | | 3750 | 25 | 6, 10** | 10 | 30 | 4 | 7 | 8000 | |
| Townhouse Single Family | | 100 | NR | 25 | 6, 10**, 0*** | 10 | 30 | 4 | 7 | NR | |
| Community Facility | * | * | * | * | * | * | * | * | * | * | |
| Ag/Sub-Homesites | 15000 | 100 | 8000 | 30 | 6, 10** | 10 | 30 | 4 | 7 | 15000 | Ord. #98-02 1/27/98 |
| Res. 2-4 Family | 6000 | 60 | 2600 | 20 | 6, 10** | 10 | 30 | 4 | 7 | 1500 | |
| Multi-Family | 16000 | 100 | 9800 | 20 | 20, 20** | 20 | NR | 4 | 7 | NR | |
| Business Commercial | NR | NR | NR | 10 | 0-3 foot side setback if non combustible*, 10** | 20 | NR | NR | NR | NR | |
| Mobile Home | 6000 | 60 | 2600 | 20 | 6, 10** | 10 | 30 | 4 | 7 | 6000 | |
| Mobile Home Park | * | * | * | * | * | * | 30 | 4 | 7 | * | |
| Industrial | NR | NR | NR | NR | *, 10** | *10 | 20 | NR | NR | NR | |
| Planned Development | * | * | * | * | * | * | * | * | * | * | |
| Annotations | | | | | | | | | | | |
| **See Zoning District Regulations | | | | | | | | | | | |
| ***Side Street | | | | | | | | | | | |
| ***Interior Side | | | | | | | | | | | |

**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 |

PLANNING AND ZONING COMMISSION

Minutes of Regular Meeting

April 22, 2024, 5:30 P.M.

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

Staff: Scott Albert, Wendy Cole, Mike Halsema, & Liz Reinhardt.

Public: David Jones of Freese & Nichols, Inc. (FNI)

Absent: Charles Ament

John: Called the regular meeting to order at 5:30 p.m. on 22nd day of April 2024.

Announcement of Quorum

Invocation and /Pledge of Allegiance

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." Visitors present were only concerned with an agenda item.

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 November 6, 2023, meeting by consent."

Introduction of David Jones from FNI who presented a general overview of P & Z's role and responsibilities.
(Scott Albert & David Jones)

David Jones gave a presentation of the rules, roles and responsibilities of the Planning and Zoning Commission. David explained the basic responsibilities, the Shock Clock of platting deadline and the new rules and regulations of Chapter 48.

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".

After the conclusion of the Public Hearing John motioned to table this agenda item. Teresa seconded, all in favor. Motion carried.

The Commissioners decided to table this amendment and conduct a workshop on Monday, May 6, 2024, to gather more information to make a determination of this amendment.

Public Hearing regarding a proposed amendment to the City's Zoning Ordinance No. 2024-03 regarding Mobile, Manufactured, and Modular Homes by amending mobile, manufactured, and modular homes can only be placed in a Mobile District, Mobile Home Park or in the Industrial Zoning District. After the conclusion of the Public Hearing Bob made a motion to approve, John seconded, all in favor, except for Teresa opposed.

The Executive Session listed on the agenda was not needed as there was no reason to convene into a closed meeting on any agenda item herein.

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Adjourn meeting at 6:48 p.m. this 22nd day of April 2024.

John Clawson, CHAIRPERSON

Teresa Johnson, VICE CHAIRPERSON