



**NOTICE OF REGULAR MEETING
CITY OF PILOT POINT
PLANNING AND ZONING COMMISSION**

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PILOT POINT, TEXAS, WILL HOLD A REGULAR MEETING ON:

**THURSDAY, JANUARY 6, 2022
AT 6:30 PM**

**PILOT POINT CITY HALL COUNCIL CHAMBERS
102 E. MAIN STREET PILOT POINT, TEXAS**

AGENDA

- A. ROLL CALL/CALL TO ORDER
- B. Public Forum: (Citizens are allowed 3 minutes to speak. If the issue is on the agenda, the Planning and Zoning Commission may choose to discuss and consider the item. If the issue is not on the agenda, the Commission is not permitted by state law to respond to or discuss the item other than to make statement of specific facts in response to a citizen's inquiry or to recite existing policy in response to the inquiry. The Commission may request the issue to be placed on a future agenda for action in accordance with state law. This forum is not the appropriate place to address complaints against Public Officials and/or Staff. Complaints of this nature should be made in writing and filed with the City Manager.)
- C. Discuss, consider, and possible action on the **December 14, 2021**, Planning and Zoning Commission meeting minutes.
- D. Discuss, consider and possible action on an Ordinance revision amending Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3- Zoning Districts to provide for residential garage standards and Division 4- Parking Regulations
- Staff report and presentation.
 - Public Hearing.
 - Discuss, consider, and take any necessary action.
- E. Workshop on the following:
- Development Project Overview
 - TIRZ/PID/MUD

- Annexation/ETJ Process

F. Items for Future Discussion - The Planning & Zoning Commission may identify issues or topics that they wish to schedule for discussion at a future meeting. Commissioners shall not comment upon, deliberate, or discuss any item that is not on the agenda. Commissioners shall not make routine inquiries about operations or project status on an item that is not posted. Any Commissioner may, however, state an issue and a request that this issue be placed on a future agenda.

G. Adjourn.

The Planning & Zoning Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

In compliance with the Americans with Disabilities Act, the City of Pilot Point will provide reasonable accommodations for disabled persons attending this meeting. Requests should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at 940-686-2165.

I the undersigned authority do hereby certify this notice was posted on the official bulletin board for the City of Pilot Point, Texas by 5:00 p.m. on 12/30/2021, and shall remain posted for at least 72 hours preceding the scheduled time of said meeting.



Lenette Cox, City Secretary

Minutes of the December 14, 2021
Planning and Zoning Commission Meeting

The Planning and Zoning Commission of the City of Pilot Point, Texas met on December 14, 2021 at 6:30 p.m. for a regular meeting of the Planning and Zoning Commission. Planning and Zoning Commission members present were Brian Heitzman, Paul Dennis, Gary Speer, Mark Lanier, Steve Keith, and Jim Bob Sevier. Staff members present were Development Services Director, John Taylor; City Attorney, Marie Johnson; and Development Services Administrative Assistant, JoAnn Wright.

A. ROLL CALL/CALL TO ORDER

Chairman Heitzman declared a quorum and called the meeting to order at 6:30 p.m.

Chairman Heitzman called the roll:

Commissioner Dennis – Present	Commissioner Speer – Present
Commissioner Lanier – Present	Commissioner Heitzman – Present
Commissioner Keith – Present	Commissioner Sevier – Present
Commissioner Cates – Absent	

B. Public Forum:

Chairman Heitzman announced the public forum open at 6:31 p.m.

There were no public comments.

Chairman Heitzman closed the public forum at 6: 32 p.m.

C. Discuss, consider, and possible action on the November 4, 2021, Planning and Zoning Commission meeting minutes.

Commissioner Lanier made the motion to approve the minutes as presented. Commissioner Keith seconded the motion. The motion passed unanimously.

D. Discuss, consider and possible action on an Ordinance revision amending Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3- Zoning Districts to add Section 14.02.116 providing standards for temporary school district facilities.

a. Staff report and presentation.

John Taylor stated the temporary classroom building that was located at the intersection of Liberty and Harrison on school district property is located at a highly visible intersection on residentially zoned property that contains no other school buildings. To prevent this from occurring in the future the Planning and Zoning Commission requested the City Attorney draft an ordinance that would provide neighborhoods some protection from this type of development.

Although the state limits the City's ability to restrict the location of school uses, the following restrictions on a temporary building in a residential area are allowed.

For the purpose of this ordinance the following definition applies:

Temporary school district facilities. A manufactured structure, not permanently attached to the ground, and used on a temporary basis as an accessory structure to the elementary or high school on the property.

The ordinance prohibits a temporary school district facility in any residential zoning district except where the following standards are met.

- (1) Located on property with an elementary or high school,
- (2) located on the property to provide safe access to the structure and be served by adequate parking,
- (3) screened from view and sensitively located and to show adherence to the standards of the community,
- (4) constructed of like colors to the elementary or high school on the property, and
- (5) proposed in compliance with development standards with respect to setbacks, parking and lighting, and landscaping required for the residential zoning district.

b. Public Hearing.

Chairman Heitzman opened the public hearing at 7:04 p.m.

There were no public comments.

Chairman Heitzman closed the public hearing at 7:04 p.m.

c. Discuss, consider, and take any necessary action.

Commissioner Lanier stated that the stipulations in this ordinance look like they will address all the issues.

Commissioner Dennis made the motion to recommend to Council to approve this ordinance. Commissioner Speer seconded the motion. The motion passed unanimously.

E. Discuss, consider and possible action on the Preliminary Plat for The Reserve at Pilot Point, a 28.077 acres 91 residential lot and 7 HOA lot subdivision located south of Washington Street and east of Yarborough Street.

a. Staff report and presentation.

John Taylor stated Mr. Doug Chandler, with Red Gable Homes, is requesting

approval of a Preliminary Plat which follows the standards of the SF-2 zoning. The development will contain 91 residential lots and 7 HOA lots. The site map shows the development's location and relationship to surrounding neighborhoods.

A full set of civil plans will be submitted following the approval of the Preliminary Plat to be reviewed and approved by the City Engineer.

Parkland dedication: The parkland dedication requirement, for the 91 new residential lots, is 2.28 acres. The developer is proposing to pay a fee in lieu of the dedication in the amount of \$68,250.

Access: Two points of access will be required which are being provided via Yarborough Street and Washington Street. In order for Yarborough Street to qualify as an access point, it will have to be improved to a standard street section of a 50' ROW and a 30' pavement. The funding for this street's drainage and sidewalk will be half by the developer and half by the City since the development fronts on 50% of the length of Yarborough Street.

Drainage: The preliminary drainage plan has been reviewed by the city engineer and will be further evaluated once a full set of civil plans are submitted. The property will contain a stormwater detention pond which will outflow to the detention pond in Yarborough Farms Phase 2A.

Infrastructure: All infrastructure will be required to meet all development standards adopted by the City and will be reviewed at the time of civil plan submittal.

b. Applicant presentation.

Kevin Ware and John Michaels (Civil Engineers for this project) approached the podium. The Commission had several questions about this project. The following is a list of some items of interest.

- (1) The property owners on both sides of the proposed Washington Street access know there is a future development, and a road will be going in.
- (2) There is a detention pond to slow drainage necessary to compensate for slow drainage to Yarbrough Farms.
- (3) There will be six-foot privacy fences on the back side of existing lots.
- (4) There will be sidewalks.
- (5) Kevan Ware and John Michaels are building the homes themselves.

c. Discuss, consider, and take any necessary action.

Commissioner Dennis made the motion to recommend Council approve the Preliminary Plat for The Reserve at Pilot Point, a 28.077 acres 91 residential lot and 7 HOA lot subdivision located south of Washington Street and east of

Yarborough Street. Commissioner Keith seconded the motion. The motion passed unanimously.

F. Adjourn.

Commissioner Speer made the motion to adjourn. Commissioner Lanier seconded the motion. The meeting adjourned at 7:09 p.m.

ATTEST:

Brian Heitzman, Commissioner

JoAnn Wright, Development Services
Administrative Assistant



Planning and Zoning Commission Agenda January 6, 2022

Agenda Item: Zoning Ordinance amendment - Action Item

Agenda Description:

Discuss, consider and possible action on a zoning ordinance amendment related to residential garage standards and parking surface material standards.

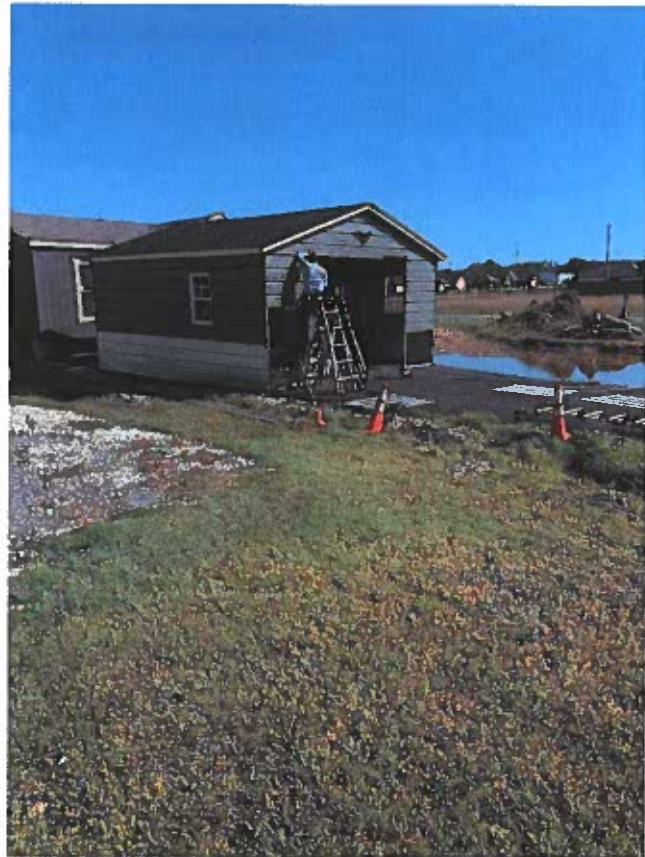
- a. Public Hearing.
- b. Staff overview.
- c. Discuss, consider and possible action.

Background Information:

There has recently been questions as to what constitutes a garage resulting from the garage built at 600 Gould. (pictured) Although this was associated with a modular building it is a discussion that involves the citywide regulations of a “garage”. The current city codes gives little regulation of what constitutes a garage. The current ordinance states:

SF-3 zoning –

- “a one-car enclosed garage, attached or detached” is required.
- “each entrance to such garage shall not be less than 25 feet back from the lot line if it faces the side yard and shall not be less than 20 feet back from the lot line if it faces the street.”
- “A private detached garage shall not have a ground floor area of more than 1,200 square feet and shall be a least 8’ from any side lot line
- Detached garage may be within 5’ of primary structure



The proposed ordinance addresses the following:

1. All residential districts require a “two-car garage” except for the SF-3 district which only requires a one car garage. The draft ordinance requires a two-car garage in all residential districts.
2. There are garage/parking standards listed in each of the residential districts and garage/parking standards are listed in Division 4 Parking Regulations. There are conflicts between these different sections. The draft ordinance removes the parking standards from the individual districts and has all related standards in the Parking Regulations section, as these standards do not change between districts.
3. The current ordinance did not provide any garage design standards. The draft proposed amendments establish residential garage design standards which include:
 - a. All single-family residential zoning districts require an attached or detached two-stall private garage with two parking spaces behind the garage; provided, however, it shall not be erected or placed closer to the street or right-of-way than the primary dwelling.
 - b. Private garages, whether attached or detached, shall be constructed of materials that are compatible in architectural style and color to the dwelling and garage doors shall be made of durable materials to prevent deterioration or other undesirable impacts caused by exposure to the elements
 - c. Garage doors shall be a minimum of 8 feet in width for a single stall garage bay and 16 feet in width for a two-stall garage bay.
4. There are conflicting requirements as to whether gravel is a permitted parking surface in the SF-3 zoning district. This ordinance revision clarifies that all parking must be concrete or asphalt as in the other residential districts.
5. The 377 standards do not allow gravel as a parking surface on lots fronting 377 or Washington. However, it is allowed in all other areas of the city including the downtown area. This ordinance revision makes the requirement for concrete or asphalt parking consistent across all areas of the city. There is an exception to allow gravel in the industrial zoning districts for areas that are screened and not visible from a public right of way.

There are no requirements of a minimum size for a garage nor any size requirement of a garage door. Any new regulations being proposed need to be directed city wide not specifically at modular homes. The garage pictured could be built anywhere in town.

Contact and Recommendations:

John Taylor, Director Development Services

Attachments:

- Draft Ordinance

**CITY OF PILOT POINT, TEXAS
ORDINANCE NO. ____ - ____-2022**

AN ORDINANCE OF THE CITY OF PILOT POINT, TEXAS, AMENDING CHAPTER 14 – ZONING, ARTICLE 14.02 – ZONING ORDINANCE, DIVISION 3 – ZONING DISTRICTS TO PROVIDE FOR RESIDENTIAL GARAGE STANDARDS AND DIVISION 4 – PARKING REGULATIONS TO PROVIDE PARKING SURFACE MATERIAL STANDARDS; PROVIDING FOR A CUMULATIVE REPEALER AND SAVINGS CLAUSE; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, under the authority in Chapter 211 of the Texas Local Government Code, the City of Pilot Point, Texas (the “City”) may regulate the location and use of buildings, including private residential garages, within the City limits; and

WHEREAS, the City Council of the City of Pilot Point, Texas (the “City Council”) has determined that it is in the best interest of the citizens of Pilot Point to regulate the location, size, and architectural style of garages in residential zoning districts and parking surfaces in all zoning districts; and

WHEREAS, the City Council has determined that the existing Zoning Ordinance of the City should be amended as hereinafter set out.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PILOT POINT, TEXAS:

**SECTION 1
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2
AMENDMENT OF SECTION 14.02.202(b)(10)(A)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3 - Zoning Districts, Section 14.02.202(b)(10)(A) of the Pilot Point Code of Ordinances is hereby amended to read as follows:

- (A) One private garage.

**SECTION 3
AMENDMENT OF SECTION 14.02.202(b)(10)(B)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3 - Zoning Districts, Section 14.02.202(b)(10)(B) of the Pilot Point Code of Ordinances is hereby deleted.

**SECTION 4
AMENDMENT OF SECTION 14.02.202(c)(8)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3 - Zoning Districts, Section 14.02.202(c)(8) of the Pilot Point Code of Ordinances is hereby deleted.

**SECTION 5
AMENDMENT OF SECTION 14.02.203(b)(10)(A)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3 - Zoning Districts, Section 14.02.203(b)(10)(A) of the Pilot Point Code of Ordinances is hereby amended to read as follows:

(A) One private garage.

**SECTION 6
AMENDMENT OF SECTION 14.02.203(b)(10)(B)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3 - Zoning Districts, Section 14.02.203(b)(10)(B) of the Pilot Point Code of Ordinances is hereby deleted.

**SECTION 7
AMENDMENT OF SECTION 14.02.203(c)(8)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3 - Zoning Districts, Section 14.02.203(c)(8) of the Pilot Point Code of Ordinances is hereby deleted.

**SECTION 8
AMENDMENT OF SECTION 14.02.204(b)(10)(A)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3 - Zoning Districts, Section 14.02.204(b)(10)(A) of the Pilot Point Code of Ordinances is hereby amended to read as follows:

(A) One private garage.

**SECTION 9
AMENDMENT OF SECTION 14.02.204(b)(10)(B)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3 - Zoning Districts, Section 14.02.204(b)(10)(B) of the Pilot Point Code of Ordinances is hereby deleted.

SECTION 10

AMENDMENT OF SECTION 14.02.204(c)(8)

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 3 - Zoning Districts, Section 14.02.204(c)(8) of the Pilot Point Code of Ordinances is hereby deleted.

**SECTION 11
AMENDMENT OF SECTION 14.02.401(12)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 4 - Parking Regulations, Section 14.02.401(12) of the Pilot Point Code of Ordinances is hereby amended to read as follows:

(12) Surfaces of parking areas and vehicular use areas for all zoning districts must be asphalt or concrete except in the I1- Light Industrial District or I2- Heavy Industrial District if the area is screened and not visible from the right of way in which case gravel or similar all weather surface is permitted.

**SECTION 12
AMENDMENT OF SECTION 14.02.402**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 4 - Parking Regulations, Section 14.02.402 of the Pilot Point Code of Ordinances is hereby amended to read as follows:

<u>Building or Site</u>	<u>Minimum Number of Parking Spaces Required</u>
* * *	
Single-family	2.0 per dwelling unit, both of which must be completely enclosed
* * *	

**SECTION 13
AMENDMENT OF SECTION 14.02.403(b)(1)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 4 - Parking Regulations, Section 14.02.403 (b)(1) of the Pilot Point Code of Ordinances is hereby amended to read as follows:

(1) Said area is a part of an asphalt or concrete hard surfaced driveway or parking area.

**SECTION 14
AMENDMENT OF SECTION 14.02.403(b)(2)**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 4 - Parking Regulations, Section 14.02.403 (b)(2) of the Pilot Point Code of Ordinances is hereby deleted.

**SECTION 15
AMENDMENT OF SECTION 14.02.404**

That Chapter 14 – Zoning, Article 14.02 – Zoning Ordinance, Division 4 - Parking Regulations, Section 14.02.404 of the Pilot Point Code of Ordinances is hereby added to read as follows:

Sec. 14.02.404 Single-family residential garage standards

- (1) All single family residential zoning districts require an attached or detached two-stall private garage with two parking spaces behind the garage; provided, however, it shall not be erected or placed closer to the street or right-of-way than the primary dwelling.
- (2) Private garages, whether attached or detached, shall be constructed of materials that are compatible in architectural style and color to the dwelling and garage doors shall be made of durable materials to prevent deterioration or other undesirable impacts caused by exposure to the elements.
- (3) Garage doors shall be a minimum of 8 feet in width for a single stall garage bay and 16 feet in width for a two-stall garage bay.

**SECTION 16
CUMULATIVE REPEALER AND SAVINGS**

That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 17
ENFORCEMENT AND PENALTY CLAUSE**

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision of this Ordinance shall be fined, upon conviction, not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

**SECTION 18
SEVERABILITY CLAUSE**

That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole. City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 18
EFFECTIVE DATE**

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

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Pilot Point, Texas, on the ___ day of January 2022.

Shea Dane-Patterson, Mayor

ATTEST:

Lenette Cox, City Secretary

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney