

# PLANNING & ZONING COMMISSION MEETING

Wednesday, July 26, 2023 at 5:30 PM

Glen Rose City Hall, Council Chambers,  
201 NE Vernon, Glen Rose, TX 76043



## AGENDA

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City Hall will be open to the public.

Citizens can view or listen live by tuning in to the following Zoom.com webinar:

Meeting ID: 896 2444 2657 • Passcode 889601 • or dial 1-346-248-7799

### CALL TO ORDER

Pledge of Allegiance, Roll Call

### CONSENT AGENDA

- [1.](#) Consider approval of minutes from June 28, 2023 P&Z Board Meeting

### WORKSHOP

- [2.](#) Review and discussion of Tree Ordinance
- [3.](#) Review and discussion of Planning & Zoning Commission Responsibilities
- [4.](#) Review and discussion of Parking Space Requirements

### ADJOURNMENT

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in the is meeting should contact the City Secretary's office at (254) 897-2272 x 102 at least 48 hours prior to the meeting to request such assistance.

### CERTIFICATION

I, the undersigned authority, do hereby certify that this NOTICE OF MEETING was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance of the City of Glen Rose City Hall, a place convenient and readily accessible to the general public, as well as to the City's website at [www.glenrosetexas.org](http://www.glenrosetexas.org) and said notice was posted on the following date and time: **Friday, July 21, 2023, on or before 5:00 PM** and remained posted for at least two hours after said meeting was convened.

A handwritten signature in blue ink that reads "Jodi Holthe".

Jodi Holthe

Building, Planning Code Enforcement Department

Certification of NOTICE OF MEETING was removed on: \_\_\_\_\_ at \_\_\_\_\_ am/pm  
by \_\_\_\_\_ . \_\_\_\_\_



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	7/26/2023		
<b>AGENDA SUBJECT:</b>	Consider approval of minutes from June 28, 2023 P&Z Board Meeting		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	7/21/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>	Move to approve or deny as presented.		

Meeting Minutes  
Planning & Zoning Commission – City of Glen Rose, Texas  
June 28, 2023

Item 1.

1. Call to Order
  - a. The meeting was called to order to 5:30pm by Chairperson, Pam Streeter
  - b. Pledge of Allegiance
  - c. Roll Call: Larry Cremean, William Green, and Pam Streeter were in attendance. Additionally, Staff members Larry Allen, Jodi Holthe and Wayne McKethan were present. A quorum was present.
  
2. Consent Agenda
  - a. Approval of Meeting Minutes from May 24, 2023 was required.
  - b. No Discussion or Changes to Minutes were needed.
  - c. The motion to approve the consent agenda was made by Larry Cremean and seconded by William Green
  - d. Motion passed 3/0
  
3. Public Hearing opened at 5:34pm
  - i. No public comments were madePublic Hearing was closed at 5:39pm
  
4. Individual Items for Consideration
  - a. Discussion, consideration and possible action on appointment of Chairperson for Planning & Zoning Board
    - i. Nomination was made for Pamela Streeter to remain Chair by William Green, 2<sup>nd</sup> by Larry Cremean.
    - ii. No additional nominations were made, so the motion was made for Pamela Streeter to be Chair by William Green and 2<sup>nd</sup> by Larry Cremean.
    - iii. Vote was 2/0/1 Pam abstained.
  - b. Discussion, consideration and possible action on appointment of Vice - Chairperson for Planning & Zoning Board
    - i. Nomination was made for Greg Clanton to become Vice Chair by Pam Streeter, 2<sup>nd</sup> by Larry Cremean.
    - ii. No additional nominations were made, so the motion was made for Greg Clanton to be Vice Chair by Pam Streeter and 2<sup>nd</sup> by Larry Cremean.
    - iii. Vote was 3/0
  - c. Discussion, consideration, and possible action regarding a request to rezone, Acres 0.650, Lot 5, 6, 7, 8 & 2(S45X50), 3(S5X50), 4(S5X50) Blk 00010, Subd G0500, Abst A136, Glen Rose Townsite, Block 10, Lot 5, 6, 7, 8 & 2(S45X50), 3(S5X50), 4(S5X50); 301 NE Barnard St +307 from B-1 (Restricted Commercial District) to B-2 (General Commercial District)
    - i. Discussion was held on why the need to change from B1 to B2 was necessary to allow for the property to be used as a hotel.
    - ii. Motion was made for change by Larry Cremean and 2<sup>nd</sup> by William Green.
    - iii. Motion passed 3/0
  - d. Discussion, consideration and possible action regarding a request to rezone, Acres 0.290, Blk East Pt of 21, Tract 1, Subd R0100, Abst A41, Railroad, Block East Pt of 21, Tract 1; 603 Austin Rd from B-1 (Restricted Commercial District) to R-1 (Single Family District)

- i. This property was originally R1, but was in the past changed to B1 which actually created a spot zoning issue. The property is for sale, and most of the interest is in the property being a R1.
  - ii. Motion was made for change by Pam Streeter and 2<sup>nd</sup> by Larry Cremean.
  - iii. Motion passed 3/0
- e. Discussion, consideration and possible action regarding a request to rezone, Acres 2.450, Tract H6-2- 2-3, Abst A39, A39 E M Gray, Tract H6-2-2-3, Acres 2.45, 915 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)
  - i. Discussion was held about what could this land be used for. Based on the Flood Plain, the key suggestions by FEMA are parks & rec and specifically a camp ground
  - ii. It was brought to our attention this property was non-conforming and being used as a camp ground for the last 8 months prior to the zoning change. The owner was asked to stop rentals until city council was able to approve change and Building Official had a chance to review work completed and make sure was in compliance with City Code
  - iii. Motion was made for change by William Green 2<sup>nd</sup> by Larry Cremean
  - iv. Motion passed 3/0
- f. Discussion, consideration and possible action regarding a request to rezone, Acres 2.450, Tract H6-2- 2-3, Abst A39, A39 E M Gray, Tract H6-2-2-3, Acres 2.45, 915 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)
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  - iii. Motion was made for change by William Green 2<sup>nd</sup> by Larry Cremean
  - iv. Motion passed 3/0
- g. Discussion, consideration and possible action regarding a request to rezone, Acres 2.450, Tract H6-2- 2-2, Abst A39, A39 E M Gray, Tract H6-2-2-2, Acres 2.45; 1007 SW Barnard St from R-1 (Single Family Residential District) to P&R (Parks & Recreation District)
  - i. Discussion was held about what could this land be used for. Based on the Flood Plain, the key suggestions by FEMA are parks & rec and specifically a camp ground
  - ii. It was brought to our attention this property was non-conforming and being used as a camp ground for the last 8 months prior to the zoning change. The owner was asked to stop rentals until City Council was able to approve change and Building Official had a chance to review work completed and make sure was in compliance with City Code
  - iii. Motion was made for change by William Green 2<sup>nd</sup> by Larry Cremean
  - iv. Motion passed 3/0
- h. Discussion, consideration and possible action regarding recommendations for amending the City of Glen Rose Specific Use Permits Ordinance (Sec. 14.02.101)
  - i. Discussion was held on the topic ensuring that the details provide met the goals set in the workshop.
  - ii. It was reviewed by City Attorney and stated was ok to move forward
  - iii. Motion was made to approve the ordinance by William Green and 2<sup>nd</sup> by Larry Cremean
  - iv. Motion passed 3/0.

5. With no further business before the commission, the meeting was adjourned at 6:40pm

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Chairperson

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Jodi Holthe,  
Building & Planning Department



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	7/26/2023		
<b>AGENDA SUBJECT:</b>	Review and discussion of Tree Ordinance		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	7/24/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>			

- **Tree Preservation and Mitigation.**

- (a) *Purpose and Intent.* The purpose of this section is to conserve, protect and enhance existing healthy trees and natural landscape. It is recognized that the preservation of existing trees contributes to the overall quality and environment of the City. Trees can and do contribute to the processes of purification, oxygenation, regeneration, groundwater recharge, reduction of pollution and contaminants in aquifers, erosion and dust control, abatement of noise, provision of wildlife habitat and enhancement property values. Indiscriminate clearing or stripping of natural vegetation on any parcel is prohibited.
- (b) It is hereby declared the intent of the City to encourage the preservation of all trees within the City limits. While the layout of a property with respect to the placement of buildings, parking facilities and other site requirements is at the discretion of the developer of the property, it is the policy of the City to promote site layout and design in a manner which preserves the maximum amount of Protected Class and Heritage Class trees possible.
- (c) *Applicability and Exemptions.*
- (d) The provisions of this section are applicable to the following:
  - a. all new residential and nonresidential development within the City except public schools;
  - b. redevelopment of any residential or nonresidential property within the City that results in an increase in the building footprint or the total destruction and reconstruction except public schools;
  - c. any grading, filling or clearing of land in the City limits; and
  - d. any selective or individual removal of any Protected Class or Heritage Class Tree in the City limits.
- (e) The following definitions shall be applicable to the provisions of this section:
  - a. *Protected Class Trees.* Trees having a DBH (diameter at breast height measured four and one half feet above existing ground level) between eight inches (8") and less than twenty-four inches (24") are designated as "Protected Class Trees".
  - b. *Heritage Class Trees.* Trees having a DBH greater than or equal to twenty-four inches (24") are designated as "Heritage Class Trees".
  - c. *Damage.* Damage shall be considered any injury to a tree including, but not limited to:
    - i. Uprooting.
    - ii. Severance of the root system or main trunk;
    - iii. Storage of topsoil, construction materials, debris or chemicals within the drip line area;
    - iv. Compaction of soil within the drip line area;
    - v. A substantial change in the natural grade above a root system or within the drip line area;



- vi. pruning or removal of more than twenty-five percent (25%) of the living tissue; or
- vii. Paving with concrete, asphalt or other impervious material within the drip line area. Tree grates or tree wells may be provided to preserve pervious surface within the drip line area.
- d. The following are exempt from the preservation, mitigation and permitting requirements of this section:
  - i. Protected Class Trees located within the area of a proposed on-site sewage facility (OSSF) (A waiver to mitigation for Heritage Class trees may be requested);
  - ii. Protected Class and Heritage Class Trees located within a right-of-way to be dedicated to and maintained by the City and shown on the City's Master Thoroughfare Plan;
  - iii. Protected Class Trees located within any utility easement, Heritage Class Trees located within any utility easement are exempt from preservation requirements only (A waiver to mitigation for Heritage Class trees may be requested);
  - iv. Protected Class and Heritage Class trees damaged or destroyed by floods, fire, wind or other natural causes;
  - v. Dangerous, diseased, damaged, dead or dying Protected Class or Heritage Class trees as determined by a tree survey and a letter from a certified Texas Arborist; provided, notwithstanding the title of this section; and
  - vi. Protected Class trees from the Undesirable Trees list in \_\_\_\_\_ (A waiver to mitigation for Heritage Class trees may be requested)
- e. Protected Class and Heritage Class trees of the following exempted tree species:

Table of Exempted Tree Species	
Common Name	Scientific Name
Hackberry	Celtis Occidentalis
Eastern Red Cedar	Juniperus virginiana
Common Ashe Juniper	Juniperis ashei
Chinaberry	Melia azedarach
Mesquite	Prosopis spp.
Ligustrum	Ligustrum spp.

- (f) *Tree Preservation*. The existing natural landscape character, especially native oaks, elms, and pecan trees, shall be preserved to the maximum extent reasonable and feasible. Except as otherwise exempted in section \_\_\_\_\_ above, a tree removal permit is required for the removal of any tree with a DBH greater than eight inches.
- (g) *Protected Trees*. Any Protected Trees not exempt from preservation in section \_\_\_\_ above may be removed upon approval of a Tree Removal Permit by the Building Official Office. Any decision of the Building Official Office regarding a tree removal permit may be appealed to the Planning and Zoning Commission in accordance with \_\_\_\_\_
- (h) *Heritage Trees*. Any Heritage Trees to be removed may be removed upon approval of a Tree Removal Permit by the Building Official Office. Any decision of the Building Official Office regarding a tree removal permit may be appealed to the Planning and Zoning Commission in accordance with \_\_\_\_\_. All Heritage Trees shall be required to meet the mitigation requirements of this section.
- (i) *Minimum Preservation*. In the development of any site, at least twenty-five percent (25%) of all mitigatable Protected Class and Heritage Class trees must be preserved. (A waiver to the 25% preservation requirement may be requested)
- (j) *Tree Mitigation*. Any trees that are removed or damaged as a result of the approval of a Tree Removal Permit shall be mitigated for on the same site as the proposed development. The species of trees planted for mitigation purposes may not include those listed as exempt in subsection \_\_\_\_\_ above nor any of the undesirable trees identified in table \_\_\_\_\_
- (k) All trees planted for mitigation purposes must be a species of shade tree identified in \_\_\_\_\_. In the event that mitigation is not feasible on the same site as the proposed development, an applicant may request to donate trees, meeting the mitigation requirements of this section, to be planted at public parks, schools, or other approved public facilities throughout the City or provide a fee-in-lieu of payment which will be used to place trees at public parks, schools, or other approved public facilities throughout the City.
- (l) Tree mitigation funds may also be utilized to install irrigation, to repair or remove damaged or destroyed trees, to preserve and protect existing Protected Class and Heritage Class trees and to purchase equipment for the preservation or protection of existing trees.
- (m) Mitigation requirements are:
- a. *Protected Class Trees*. Protected trees shall be mitigated at a one-to-one (1:1) DBH inch ratio for every tree removed. Replacement trees shall have a minimum DBH of two and one half inches (2.5").
  - b. *Heritage Class Trees*. Heritage Class trees shall be mitigated at a three-to-one (3:1) DBH inch ratio for every tree removed. Replacement trees shall have a minimum DBH of two and one half inches (2.5").
  - c. *Damaged Trees*. Any trees that are designated for preservation and are damaged during the construction process or that die within two (2)

years of issuance of a certificate of occupancy shall be mitigated for in accordance with subsection \_\_\_\_\_ and \_\_\_\_above.

- d. *Mitigated Trees.* Trees planted and counted towards the necessary mitigation requirements that are damaged after planting or that die within two (2) years of issuance of a certificate of occupancy shall be mitigated for at a one-to-one (1:1) DBH inch ratio for every tree damaged or that dies.
  - e. The amount of tree mitigation per acre is capped at 100 inches per acre. For properties where the trees are generally clustered, staff has the discretion to define the acreage of the property as an area extending 20' beyond the tree canopy of the cluster in determining the acreage.
- (n) *Tree Protection Standards.*
- a. All trees to be preserved on site shall be protected from damage caused by site excavation or construction in accordance with the following:
    - i. All trees shall be protected by a fence, frame or box constructed around the drip line of the preserved tree. Protection measures may not be removed until construction is complete.
    - ii. A minimum of three inches (3") of mulch or compost shall be spread beneath the drip line of the preserved tree.
    - iii. No person shall excavate any ditches, tunnels, or trenches, place any paving material or place any drive or parking area within the drip line of any Protected Class or Heritage Class Tree without prior written approval of the Building Official Office at the time of Site Plan approval.
    - iv. No person shall attach any rope, wire, nails, advertising posters or other contrivance to any Protected Class or Heritage Class Tree.
  - b. It is the intent of the City to control and prevent the spread of Oak Wilt.
    - i. If any oak tree is wounded by intentional damage or pruning or as a result of natural causes, the damaged area shall be immediately treated with tree wound dressing.
    - ii. All necessary and reasonable efforts shall be given during the permitted removal of any trees to utilize best known practices to prevent the spread of Oak Wilt disease to any other surrounding trees.
  - c. *Tree Preservation Credits—Nonresidential and Multifamily Developments.* To encourage the preservation of existing Protected Class or Heritage Class Trees contained within a proposed development, tree preservation credits may be requested to reduce the amount of new trees required on nonresidential and multifamily sites. Tree preservation credits can be issued for landscape buffer requirements when the tree being preserved is located within the buffer. Tree preservation credits can be issued to satisfy total trees per acre requirements of \_\_\_\_\_
  - d. The following minimum tree preservation credits may be requested:

- i. Protected Class Trees shall receive a credit against the minimum required landscaping or mitigation standards at a one-to-one (1:1) caliper inch ratio;
  - ii. Heritage Class Trees shall receive a credit against the minimum required landscaping or mitigation standards at a three-to-one (3:1) caliper inch ratio;
- e. *Tree Survey Required.* Every application for a final plat for residential development or Site Plan for nonresidential and multifamily development shall be accompanied by a tree survey that includes the following information:
  - i. total number of DBH caliper inches of Protected Class and Heritage Class on the site;
  - ii. total number of DBH caliper inches of Protected Class and Heritage Class to be removed; and
  - iii. total number of DBH caliper inches of Protected Class and Heritage Class to be preserved.
- f. *Tree Removal Permit.* A tree removal permit is required for the removal of any Protected Class or Heritage Class trees not exempt in section \_\_\_\_\_ above. The permit must be accompanied by an appropriate application and shall contain a tree preservation plan showing the following:
  - i. existing/proposed topography;
  - ii. location of property lines, easement, rights-of-ways, setbacks, parking areas and sidewalks;
  - iii. location, species and size (in DBH) of each Protected Class and Heritage Class Tree, except those trees exempted by section \_\_\_\_\_ above;
  - iv. a tree inventory that summarizes the following.
    - 1. total number of DBH caliper inches on the site.
    - 2. total number of DBH caliper inches to be removed.
    - 3. total number of DBH caliper inches to be preserved.
    - 4. location of any proposed tree mitigation.
    - 5. any proposed tree preservation credits.
    - 6. a summary of the tree protection methods to be utilized.
- g. *Waiver.*
  - i. *General.* The City Council may authorize waivers from the provisions of this Article when, in their opinion, undue hardship will result from requiring strict compliance. Waivers may be granted only to items specifically stated in this section. Waivers must meet one of the following eligibility requirements:
    - 1. The tree is proposed for removal in order for the property to achieve compliance with other applicable City requirements and standards (i.e. site design or storm water management);

2. The tree is proposed for removal because it is within a future public utility location.
- ii. *Criteria for approval.* Waivers shall be evaluated using the following criteria:
1. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees or windbreaks;
  2. The requested waiver does not violate the intent of this section \_\_\_\_\_ or UDC.
  3. Strict interpretation of the provisions of the section would deprive the applicant of rights commonly enjoyed by other nearby properties in the same zoning district or with the same land use that would comply with the same provisions;
  4. A reasonable effort to preserve the tree has been made and reasonable alternatives have been evaluated and determined to not be feasible.

Any decision of the Building Official or his/her designee regarding waivers to the provisions of this section may be appealed to the Planning and Zoning Commission. When considering an appeal, the Planning and Zoning Commission shall consider the same standards as the Building Official or his/her designee as outlined above.



# CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	7/26/2023		
<b>AGENDA SUBJECT:</b>	Review and discussion of Planning & Zoning Commission Responsibilities		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	7/21/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>			

## 10.02.002 Planning and Zoning Commission

(1) *Duties generally.* The Planning and Zoning Commission shall, from time to time, either at its discretion or as requested by the City Council submit its reports, plans and recommendations for the orderly growth, development and welfare of the city in accordance with Tex. Local Gov't. Code, §§ 211.001 *et seq.* The Commission shall also perform other duties as may be prescribed by ordinance or state law; or as follows:

(2) To recommend the boundaries of the various districts and appropriate regulations to be enforced therein under this chapter, the ordinances of the City of Glen Rose or the laws of the State of Texas, to the City Council or the City of Glen Rose and to recommend approval or denial of zoning changes and regulations under this chapter, the ordinances of the City of Glen Rose or the laws of the State of Texas;

(3) To hear, recommend or determine any matter relating to zoning, planning or subdivision control as may be specified or required under this chapter, the ordinances of the City of Glen Rose, or the laws of the State of Texas; and

(4) To exercise those duties and powers as may be now or hereafter conferred by this chapter, the ordinances of the City of Glen Rose, or applicable laws of the State of Texas.

(5) *Citizen of Glen Rose.* Each member of the Planning and Zoning Commission shall be a resident citizen of the City of Glen Rose at the time of his or her appointment. A member of the Planning and Zoning Commission ceasing to reside in the city during his or her term of office shall immediately forfeit his or her office.

(6) *Removal.* Any member of the Planning and Zoning Commission may be removed from office for any cause deemed by the City Council to be sufficient for removal of the member. If a vacancy should exist in the Planning and Zoning Commission membership due to removal from office, resignation, death, refusal or inability to serve, the City Council shall appoint a new member to fill the vacancy for the unexpired term.

(7) *Attendance.* Three consecutive absences that are not excused by the Planning and Zoning Commission, or the absence of a regular member from more than 50% of the meetings in any calendar year, will automatically remove a member from the Planning and Zoning Commission.

(8) *Officers.* The Planning and Zoning Commission shall elect a Chairperson, Vice-Chairperson and Secretary at the first meeting in July for a term of one year. The Vice-Chairperson is to preside in the absence of the Chairperson. Both the Chairperson and the Vice-Chairperson shall vote on every item unless prohibited by law.

(9) *Meetings.* All meetings of the Planning and Zoning Commission shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed in the office of the Commission and shall be a public record. The City Secretary of the City of Glen Rose shall be the custodian and possessor of the records and minutes of the Planning and Zoning Commission.

(10) Meetings of the Planning and Zoning Commission may be held as often as necessary to conduct the business coming before the Commission at the call of the Chairperson and at such other times as the Commission may determine.

(11) *Rules of procedure.* Whenever a public hearing is closed, it shall be proper for the Commission to take the matter under advisement and announce its decision at some subsequent meeting which is open to the public. No hearing, however, will be continued without setting a definite date when the hearing will be resumed where a matter is taken under advisement.

(12) *Establishment.* The City's Code of Ordinances establishes the standards governing the Planning and Zoning Commission.

(13) *Composition.* The Commission shall be composed of five members to be appointed by the City Council.

(14) *Duration of terms of office; transition procedure; filing of vacancies; reappointment.* The members of the Planning and Zoning Commission shall be appointed for a term of two years on a rotating basis and removable for cause by the City Council. The terms of office shall expire on the last day of December or until their successor has been appointed. In the event that a vacancy occurs on the Planning and Zoning Commission prior to the expiration of a full term, the City Council shall appoint a new member to complete the unexpired term. Any member of the Commission may be reappointed by the City Council upon completion of a full term.

(15) *Quorum.* Any three members shall constitute a quorum for the transaction of the business. The affirmative vote of a majority of those attending any meeting at which there is a quorum present shall be necessary to pass any motion, recommendation or resolution of the Planning and Zoning Commission.

(16) *Duties generally.* The Planning and Zoning Commission shall, from time to time, either at its discretion or as requested by the City Council submit its reports, plans and recommendations for the orderly growth, development, and welfare of the city in accordance with Tex. Local Gov't. Code, §§ 211.001 *et seq.* The Commission shall also perform other duties as may be prescribed by ordinance or state law; or as follows:

- a. Involved in creating and approving a Comprehensive Plan and make a recommendation on the Plan to the Council.
- b. Review, comment, and approve all preliminary site plans and preliminary and final subdivision plats.
- c. Review, comment and recommend to City Council any planned developments or financial plans related to new developments.
- d. Exercise control over platting or subdividing land within the corporate limits of the city, and outside said corporate limits to the extent authorized by law.
- e. Exercise control to regulate and restrict the locations of trades and industries, the location of buildings designed for specific uses, and to regulate and limit the height and bulk of buildings.
- f. Recommend amendments in the specific areas of the code of ordinances and to the city council when such amendments are needed because of changing conditions new practices or court decisions.
  - Zoning Ordinance
  - Building Regulations
  - Business Regulations
  - Subdivision Regulations



- g. Ensure that no subdivision, street, park or any public way, ground, or space, public building or structure, or public utility, whether publicly or privately owned, which is in conflict with the master plan be constructed, or authorized by the city, until and unless the location and extent thereof is in full compliance with the currently adopted edition of the city's Comprehensive (Master) Plan.
- h. Recommend land acquisition and development for City open space or recreation purposes.
- i. Recommend changes in land use or development arising from local, state, or federal programs or policies.
- j. Make any other recommendations based on sound planning principles to the Council on items of interest or concern.
- k. Review the Development Code, Zoning Map, and Comprehensive Plan as needed or a minimum of every two years to take advantage of new techniques, correct deficiencies or for other appropriate reasons.
- l. May impose conditions on its approval of developments including but not limited to configuration of streets, sidewalks, location of public improvements, reservation of open space and recreational areas.
- m. Recommend programs for public structures, improvements, and other land acquisitions that would benefit the city.
- n. May also enter upon any land and make examinations and surveys.
- o. Be vested with all of the authority given such commissions under the laws of the state, the city's Charter and the ordinances of the city.
- p. Table 2 is a summary of the Planning and Zoning Commission's responsibilities with the Subdivision Ordinance.

<Add current Table 2>

**10.02.002 Planning And Zoning Commission**

- (a) Establishment. The City's Code of Ordinances establishes the standards governing the Planning and Zoning Commission.
- (b) Responsibilities. Table 2 is a summary of the Planning and Zoning Commission's responsibilities within the Subdivision Ordinance.

Table 2: Planning and Zoning Commission Responsibilities	
10.04.005(f)	Approving/Denying a Preliminary Plat
10.04.005(j)(4)(A)	Approving/Denying an Appeal of the Building Official's Decision on a Preliminary Plat Extension
10.04.006(o)(4)(A)	Approving/Denying an Appeal of the Building Official's Decision on a Final Plat Extension
10.04.006(h)	Approving/Denying a Final Plat
10.04.007(h)(1)	Approving/Denying a Deferral to the Commission of a Minor Plat Decision
10.04.008(g)	Approving/Denying a Replat
10.04.012	Approving/Denying a Conveyance Plat
10.04.008(g)(2)(B)	Approving/Denying a Deferral to the Commission of a Minor Replat Decision
10.04.009(g)(1)	Approving/Denying a Deferral to the Commission of an Amending Plat Decision
10.04.011(i)	Approving/Denying a Development Plat
10.07.001(c)(1)(B)	Approving/Denying an Appeal of a Minor Subdivision Waiver Decision

10.07.001(c)(2)	Approving/Denying a Major Subdivision Waiver	Item 3.
10.07.002(c)	Approving/Denying a Subdivision Proportionality Appeal	
10.07.003(f)(3)	Approving/Denying a Decision by Commission on a Subdivision Vested Rights	



## CITY COUNCIL AGENDA ACTION FORM

<b>AGENDA DATE:</b>	7/26/2023		
<b>AGENDA SUBJECT:</b>	Review and discussion of Parking Space Requirements		
<b>PREPARED BY:</b>	Building/Planning/Code Enforcement Assistant Holthe	<b>DATE SUBMITTED:</b>	7/24/23
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY ADMINISTRATOR APPROVAL:</b>			
<b>SUMMARY:</b>			
<b>RECOMMENDED ACTION:</b>			

**CURRENT**

Parking space. An area measuring at least 9 feet wide by 18-20 feet in length, surfaced with an all-weather surface, enclosed or unenclosed, together with an all-weather surfaced driveway connecting the parking space with a street or alley permitting satisfactory ingress and egress. For computing off-street parking space requirements, parking spaces on public streets, alleys or rights-of-way shall not be used.

EACH ACRE OF PARKING AREA PROVIDES THE FOLLOWING:

ANGLE OF PARKING	ANGLE OF PARKING						
	30°		45°		60°		
WIDTH OF DRIVE	1	2	1	2	1	2	
8' 0"	342.4	127.7	273.2	152.7	262.2	161.2	240.1
8' 6"	362.2	129.2	290.4	152.7	284.1	153.2	258.1
9' 0"	382.1	130.7	307.6	144.2	306.3	142.2	276.1

1- SQUARE FEET PER SPACE  
2- PARKING SPACES

SIZE OF AUTO...



DETERMINED SIZE OF SPACE REQUIRED FOR PARKING, INSPECTION, ETC.

TOWARD SIDE DETERMINED THE WIDTH OF ACCESS DRIVE, WIDTH OF PARKING DRIVE, ETC.

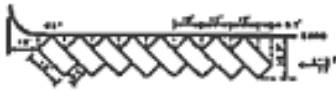


SIDE OF WHEEL NEAR WHEEL  
SIDE OF WHEEL END OF FRONT BUMPER

LAND PARKING REQUIREMENTS:



BY NUMBER OF SPACES  
BY LENGTH OF DRIVE



LAND PARKING SHOULD NOT BE USED UNLESS AT LEAST 10' TO 15' CLEARANCE IS MAINTAINED FOR PEDESTRIAN ACCESS AND VEHICLES (WHEEL WIDTH), OR 20' CLEARANCE SHOULD BE MAINTAINED FOR 20'-25' WIDE, A 25' CLEARANCE IS RECOMMENDED.

- I.
- E.
- 2.
- C.

**NEW****Article 12.04.043 – PARKING STANDARDS**

## (a) Purpose

The purpose of this Article is to establish the number of required off-street vehicular parking spaces so as to provide for the needs of occupants, customers, visitors or others involved in the use or occupancy of any building or structure, to eliminate the undue use of the surface street system for parking purposes, to require allocation of sufficient off-street/on-site loading facilities by business and industry which ensures that the loading and unloading of vehicles will not interfere with traffic flow or block roadways and/or fire lanes, to promote and protect the public health, safety, comfort, convenience and general welfare, and to grant and define the administrative powers and duties necessary to enforce this Article.

## (b) General Provisions

- a. Required off-street parking in residential districts shall be provided on the same site, lot or tract as the main use for which the parking is provided.
- b. Required off-street parking in nonresidential districts may be located on the same site, lot or tract as the main use for which the parking is provided or on a site, lot or tract located within the same zoning district and within 150 feet of the main use.
- c. If specific requirements for off-street parking result in a fraction of a parking space, the next larger whole number of spaces is required.
- d. Whenever a building or use constructed or established before <insert date> is changed or enlarged in floor area, number of dwelling units, seating capacity or otherwise, to create a need for an increase in the minimum number of required parking spaces, such additional spaces shall be provided at 50% of the normal rate to accommodate the enlargement or change.
- e. All driveways and all required off-street parking spaces shall be on a paved concrete or asphalt surface. All drive approaches shall be of paved concrete.
- f. Parking spaces provided within a public right-of-way shall not be counted as meeting the minimum requirements of this Article.
- g. In the event of the construction of a phased development, the minimum number of parking spaces provided shall apply to each phase as it is developed.
- h. In computing the parking requirements for any building or development with multiple uses, the total parking requirements shall be the sum of the specific parking requirements for each individual use included in the building or development.
- i. Residential curb cuts.
  - i. *Straight driveways.* Curb cuts for residential driveway aprons shall be not less than ten feet (10') in width, and not more than twelve feet (12') in width for a single driveway apron nor more than twenty-four feet (24') in width for a double driveway apron. Curb cuts will be permitted only for driveway aprons providing access to a garage, carport or hardstand.

Not more than one curb cut will be permitted for each residential parcel of land except as follows for circular driveways.

- ii. *Circular driveways.* Circular driveways are allowed for lots with a minimum of one hundred feet (100') of frontage. Circular driveways shall have a maximum of two sixteen-foot curb cuts with a minimum of thirty feet (30') between each cut.
  - j. Detached accessory, ancillary or storage structures in commercial and manufacturing districts shall not be located in a manner that decreases the minimum number of parking spaces required.
  - k. Areas intended for outdoor displays and general outdoor storage shall not be allowed in designated off-street parking areas or fire lanes and shall not be located in a manner that decreases the minimum number of parking spaces required.
  - l. Parking and storage, including vehicles awaiting repair, employee, customers and vendors, for automobile repairs and service cannot occur in the public right-of-way.
- (c) **Size of Space:**
- a. Each standard off-street surface parking space shall measure not less than nine (9') feet by twenty (20') feet, exclusive of access drives and aisles, and shall be of usable shape and condition.
  - b. *Wheel stops.* If wheel stops are not provided at locations where vehicles extend over the sidewalk areas, a minimum of eight feet (8') <5' or 8'> of free walking area, exclusive of vehicle overhang, width must be provided.
    - i. Wheel stops shall be designed so that the overhang of vehicles is contained totally within the parking space.
  - c. Each parking space designed for parallel parking shall have a minimum dimension of eight (8') feet by twenty-two (22') feet. D.
  - d. Each standard parking space located in a parking garage shall measure not less than ten (10') feet by eighteen (18') feet, exclusive of access drives or aisles.
- (d) *Handicap accessible parking.*
- a. The number and size of the handicap parking spaces required must follow the Federal Americans with Disabilities Act and Texas Accessibility Standards. The number of handicap parking spaces required is based on the total number of spaces provided. Accessible spaces for cars must have at least a sixty inch (60") wide access aisle located adjacent to the designated parking space. Van parking spaces need to have a wider access aisle of ninety-six inches (96") to accommodate a wheelchair lift and vertical clearance to accommodate van height.
  - b. Accessible parking spaces must be located on the shortest accessible route of travel to an accessible facility entrance. Where buildings have multiple accessible entrances with adjacent parking, the accessible parking spaces must be dispersed and located closest to the accessible entrances and at the most level ground close to the accessible entrance.
  - c. Accessible parking spaces may be clustered in one or more lots if equivalent or greater accessibility is provided in terms of distance from the accessible

entrance, parking fees, and convenience. Van-accessible parking spaces located in parking garages may be clustered on one floor (to accommodate the ninety-eight inch (98") minimum vertical height requirement).

- d. Accessible parking spaces may be clustered in one or more lots if equivalent or greater accessibility is provided in terms of distance from the accessible entrance, parking fees, and convenience. Van-accessible parking spaces located in parking garages may be clustered on one floor (to accommodate the ninety-eight inch (98") minimum vertical height requirement).

(e) Schedule of Off-Street Parking Requirements:

- a. See Appendix A (Schedule of Uses) – or insert table here

- b. New and Unlisted Uses:

When a proposed land use is not classified in the Schedule of Uses, the parking requirements will be based on the minimum standard which applies to a specified use which is most closely related to the proposed land use, as determined by the Building Official.

- c. Mixed Uses:

In the event that several users occupy a single structure, or parcels of land, the total requirements for off street parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset, for example with retail and residential, or theater and office uses. In such case the Planning & Zoning Commission may recommend reducing the total requirements accordingly, but not more than twenty five (25%) percent for approval by City Council.

(f) Striping

- a. All parking lots shall be striped in a manner that will clearly delineate parking spaces, fire lanes and pedestrian crosswalks.
- b. Directional arrows shall be provided in all drive lanes and driveways.

(g) Shared Access and Cross Lot Access Easements

Notwithstanding any other provisions of this Article, unless otherwise approved by the City, to reduce the number of curb cuts and access driveways, the dedication of joint-use, private access driveway easements and cross lot access easements shall be required for all commercial development.

(h) Stacking Requirement for Drive-Through Facilities

- a. A stacking space shall be an area on a site measuring eight (8') feet by twenty (20') feet with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area.
- b. All stacking spaces shall be located entirely within the lot and shall be outside of any right-of-way, fire lane or similar access.
- c. For financial institutions with drive-through facilities, each teller window or station, human or mechanical, shall be provided with a minimum of five (5) stacking spaces.
- d. For each service window of a drive-through restaurant, a minimum of seven (7) stacking spaces shall be provided.



(i) Off-Street Loading/Unloading Requirements

- a. All retail, commercial, industrial, and service structures shall provide and maintain off-street facilities for receiving and loading merchandise, supplies and materials within a building or on the lot or tract. Such off-street loading space may be adjacent to a public alley or private service drive or may consist of a truck berth within the structure. Such off-street loading space or truck berth shall consist of a minimum area of ten (10') feet by forty (40') feet and the spaces or berths shall be provided in accordance with the following schedule:

<b>Square Feet of Gross Floor Area in Structure</b>	<b>Minimum Required Spaces or Berths</b>
0 – 5,000	None
5,000 – 15,000	1
15,000 – 50,000	2
50,000 – 100,000	3
100,000 – 150,000	4
Each Additional 50,000 over 150,000	1

(j) Parking Dimensions

