



**PLANNING & ZONING COMMISSION
AGENDA**

Tuesday, December 16, 2025, 6:00 PM

EVENT CENTER 60 MORGAN'S POINT BOULEVARD

1. Call to Order

2. Announcements and Citizens Comments

3. Presentations

4. Approval of Minutes

1. Consider approving minutes from October 28, 2025, meeting
2. Consider approving minutes from November 13, 2025, meeting

5. Regular Agenda

1. New Member Orientation
2. Open Meetings Training
3. City Ordinances Chapter 3, 6 and 14
4. Review P&Z Committee responsibilities Section ²³~~10~~ of Appendix B requirements

6. MPR Comprehensive Plan Update

7. Items for Future Agendas

8. P & Z Commission Updates & Comments

9. Staff Updates

10. Adjournment

I certify that a copy of the 12-16-2025 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 12-11-2025 at 4:00PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254 742-3206 for further information

Kelli Merolillo, City Secretary

h. Discuss carport on vacant lot at 14 S. Robin

4. Supplemental Information

Adjournment

I certify that a copy of the 12-16-2025 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board and Morgan's Point Resort website on the 12-11-2025 at 4:00PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-742-3206 for further information.

Kelli Merolillo, City Secretary



**PLANNING & ZONING COMMISSION
MINUTES**

Tuesday, October 28, 2025, 6:00 PM

LIBRARY 8 MORGAN'S POINT BOULEVARD

1. Call to Order

Meeting called to order by Chairperson, Ken Hobbs, at 6:11 PM.

PRESENT

Ken Hobbs
Louis Guillaud
Tom Edwards
Leslie Minor
Thomas Westmoreland

ABSENT

N/A

Ashlynn Uschek, CTCOG

2. Announcements and Citizens Comments

This is an opportunity for members of the public to suggest the addition of topics for the discussion, or to address topics of interest, with the presentation limited to three (3) minutes. All speakers will conduct themselves in an orderly and lawful manner. All speakers will be recognized prior to speaking and will announce their name and address to be included in the minutes. State law prohibits the Mayor and Members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law.

3. Public Hearing(s)

N/A

4. Approval of Minutes

- a. Discuss and consider minutes from September 25, 2025

Discuss and consider minutes from September 30, 2025

Motion made to approve the minutes with adjustments by Edwards Seconded by Westmoreland.
Voting Yea: Hobbs, Minor, and Guillaud

Motion passed by unanimous vote (4:0)

5. Regular Agenda

- a. Discuss and consider variance for 3 West Aztec

Motion made to table until the next meeting. Lot size is ½ acre, review 5% rule and review front set back of building compared to garage frontage

Motion made by Edwards, Seconded by Minor.
Voting Yea: Hobbs, Guillaud and Westmoreland

Motion tabled by unanimous vote (4:0)

6. Items for Future Agendas

43 Morgan’s Point Boulevard – abandoned property

7. Staff Updates

N/A

8. P & Z Commission Updates & Comments

N/A

9. Adjournment

Meeting adjourned at 6:41 PM

I certify that a copy of the 10-28-2025 agenda of items to be considered by the Morgan’s Point Resort was posted and could be seen on the City Hall bulletin board on the 10-17-2025 at 4:00 PM and remained posted continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at 254 742-3206 for further information

Ken Hobbs, Chair
City of Morgan’s Point Resort, Texas 76513

Kelli Merolillo, City Secretary
City of Morgan’s Point Resort, Texas 76513



**PLANNING & ZONING COMMISSION
MINUTES
Thursday, November 13, 2025, 6:00 PM
LIBRARY 8 MORGAN'S POINT BOULEVARD**

1. Call to Order

Meeting called to order by Chairperson, Ken Hobbs, at 6:48 PM.

PRESENT

Ken Hobbs
Louis Guillaud
Tom Edwards
Leslie Minor

ABSENT

Thomas Westmoreland

Ashlynn Uschek, CTCOG
Mike Reeves, MPR

Announcements and Citizens Comments

This is an opportunity for members of the public to suggest the addition of topics for the discussion, or to address topics of interest, with the presentation limited to three (3) minutes. All speakers will conduct themselves in an orderly and lawful manner. All speakers will be recognized prior to speaking and will announce their name and address to be included in the minutes. State law prohibits the Mayor and Members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law.

2. Public Hearing(s)

- a. Public hearing for 16/18 Archer, MPR, TX 76513 Special Use Permit (SUP)

Open Public Hearing

6:49 PM

Public Comments (3 mins to speak)

N/A

Close Public Hearing

6:50 PM

Replat is not required due to exemption. Recommend to move forward to City Council for septic approved design not meeting ordinance requirement of ½ acre.

Motion made to consider a Special Use Permit for 16/18 Archer, Morgan's Point Resort, Texas 76513, and to forward the recommendation to City Council for approval or denial.

Motion made by Edwards, Seconded by Guillaud.
Voting Yea: Hobbs, Minor

Motion passed by unanimous vote (4:0).

b. Public hearing for 95 Buena Vista, MPR, TX 76513 Special Use Permit (SUP)

Open Public Hearing

6:51 PM

Public Comments (3 mins to speak)

N/A

Close Public Hearing

6:52 PM

Replat is not required due to exemption. Recommend to move forward to City Council for septic approved design not meeting ordinance requirement of ½ acre.

Motion made to consider a Special Use Permit for 95 Buena Vista, Morgan's Point Resort, Texas 76513, and to forward the recommendation to City Council for approval or denial.

Motion made by Guillaud, Seconded by Edwards.
Voting Yea: Hobbs, Minor

Motion passed by unanimous vote (4:0).

3. Approval of Minutes

a. Discuss and consider minutes from October 28, 2025, meeting

Motion made to table minutes from October 28, 2025, meeting

Motion made by Guillaud, Seconded by Edwards.
Voting Yea: Hobbs, Minor

Motion passed by unanimous vote (4:0)

Motion tabled until next P&Z meeting – December 16, 2025 (4:0)

4. Regular Agenda

a. Discuss and consider variance for 3 West Aztec

Motion made to recommend moving forward to City Council for their consideration on accessory building size and building position on lot.

Motion made by Edwards, Seconded by Minor.
Voting Yea: Hobbs, Guillaud

Motion passed by unanimous vote (4:0).

- b. Discuss and consider carport variance for 160 Lake Forest Drive

Motion made to request additional measurements from Building Official on placement of carport.
Further discussion set for November 20, 2025 P&Z Workshop Meeting.

Motion made by Guillaud, Seconded by Minor.
Voting Yea: Hobbs, Edwards

Motion passed by unanimous vote (4:0)

- c. Discuss and consider replat on 18 Mustang

Motion made to recommend to City Council for consideration of re-plat approval. Resident project plans to meet with Morgan's Point Resort during the week of November 17, 2025 for project adjustments

Motion made by Guillaud, Seconded by Edwards.
Voting Yea: Hobbs, Minor

Motion passed by unanimous vote (4:0)

- d. Discuss and consider potential new Planning and Zoning Committee member(s)

Motion made to recommend to move forward to City Council for consideration and approval of two new members with one applicant being placed in reserve due to seven member limit.

Motion made by Edwards, Seconded by Minor.
Voting Yea: Hobbs, Guillaud

Motion passed by unanimous vote (4:0)

5. Items for Future Agendas

Food trailers – public health issues

6. Staff Updates

New City Secretary, Kelli Merolillo

7. P & Z Commission Updates & Comments

N/A

8. Adjournment

Meeting adjourned at 7:37 PM

I certify that a copy of the 11-13-2025 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 11-04-2025 at 4:00PM and remained posted

continuously for at least 72 hours succeeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254 742-3206 for further information

Ken Hobbs, Chair
City of Morgan's Point Resort, Texas 76513

Kelli Merolillo, City Secretary
City of Morgan's Point Resort, Texas 76513

DRAFT

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New Planning and Zoning Orientation

1. Please go to "Open Meeting Training" on the internet. Take the course, print out your certificate of completion and file it with the City Secretary. This needs to be done within the first 90 days of your appointment at P&Z.
2. Please read Chapters 3,6,10 and 14 plus Section ~~10~~²³ of Appendix B for P&Z responsibilities and requirements. These Chapters will be the major ones that are focused on P&Z involvement.
3. Our meetings are normally held on the 4th Tuesday of each month. We will have a workshop before the regular session meeting which will usually start at 5pm. Special sessions will be held when necessary and you will be notified of those dates.
4. Agendas will be posted/published in a local newspaper at least 3 days prior to our meeting.
5. Agendas for public hearings will be posted/published in a local newspaper at least 15 days prior to our meeting.
6. Agendas and packet information will be available at city hall for pick-up and review prior to the meeting.

Thank you for volunteering to serve Morgans Point Resort

#7

PLANNING & ZONING COMMISSION
Morgans Point Resort Summary Sheet

Agenda Item: Follow up to Chapter 3 edits by Mike Reeves and City Council

Agenda Item Summary:

There are several changes made to Chapter 3 of the MPR ordinances which modified the Muni-code to be more in line with MPR requirements. The document was initially edited by Mike Reeves and presented to P&Z and City Council.

1. After City Council review, a discuss was held regarding the Board of Adjustments and Appeals. City Council determined that this board would not be needed at this time. Instead of removing the ordinance section that addressed this board, P&Z suggests making appointment of this board permissive by inserting the phrase “may be” created.
2. A City Council edit was that City Council will act in lieu of the Board of Adjustments.
3. Updated ADA wording is also included in the adjustments. See Section 3.02.052.
4. Mike Reeves was to follow up with City Council members to clear up any confusion regarding the recommended wording for Chapter 3. This is being brought back to City Council for final clarification and edits if needed.

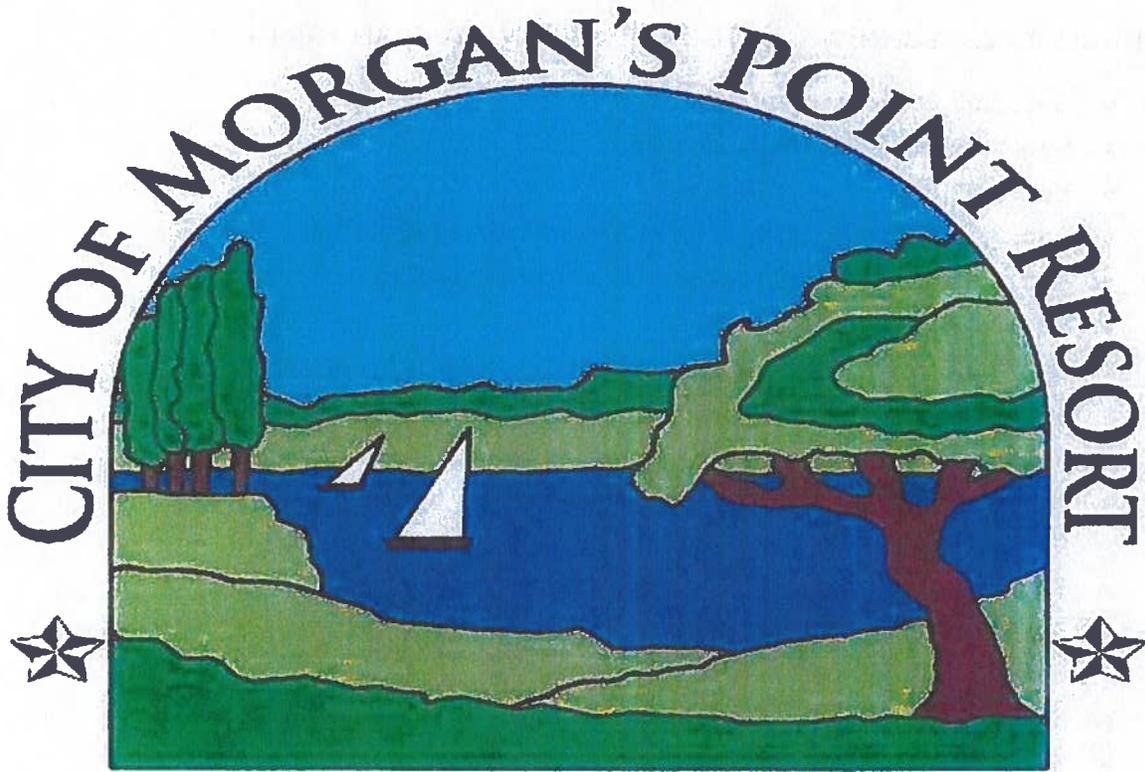
Public Notification and Input: None

Recommendation(s): Review and clarification of final edits to Chapter 3 so modifications can be made to MPR’s Muni Code.

Voting Yes: 5

Voting No: 0

Agenda Item Action: If approved by City Council the various sections of Chapter 3 of the Muni-Code will need to be updated to reflect changes.



**RECOMMENDED
ORDINANCE UPDATES FOR
CONSTRUCTION, HOUSING
AND ZONING**

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CHAPTER 3 BUILDING REGULATIONS

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ARTICLE 3.02. - TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

Sec. 3.02.002. - Building Official

Recommended Ordinance Updates for Construction, Housing and Zoning

~~The City Building Official will be the City Manager.~~ The City Building Official shall perform all the duties necessary for the processing of permit applications. The City Building Official has the duty to receive, review, approve, modify or reject all applications for the issuance by the City of building permits. No building permit shall be issued without the written approval of the Building Official. ~~The Building Official shall have the authority to grant variances on setback lines and side and rear lot lines.~~ The City Building Official may also perform the duties of City Building Inspector

BO: Remove requirement for the City Manager to be the Building Official. The Building Official should not have the authority to allow variances of setback lines. This should be reviewed by P and Z.

Sec. 3.02.003. - Building Inspector

The City Building Inspector shall inspect all phases of construction as outlined in the building, electrical, plumbing and mechanical and energy codes to ensure compliance with the applicable rules and regulations as set forth by this Article.

BO: Add "and energy" to the 1st sentence. The State of Texas requires that we enforce energy codes as well as the others stated.

Sec. 3.02.004. - Permit required

It shall be unlawful for any person to start construction on a new building, remodel or alter an existing building, place a storage building upon a home site, install a mobile home, install a septic or sewer system, install a swimming pool, install a fence, perform any electrical, plumbing or mechanical work on any structure, or demolish any structure, without first obtaining a permit for such work. Refer to 2015 IRC 105.2 to reference what does not require a permit.

BO: We have the 2015 IRC adopted and R105.2 shows what does not require permits. We need to refer to the IRC language

Sec. 3.02.005. - Plans, specifications and surveyed plot plan required

The City Building Official shall require that his office be provided with the following:

(1) Plans and specifications to include the front, side and rear elevations, foundation plan and a detailed floor plan of the proposed structure.

(2) A plot plan of the subdivision with the subject lot identified on the plot.

Recommended Ordinance Updates for Construction, Housing and Zoning

(3) A survey showing the location of the proposed structure upon the lot in reference to all property boundaries, ~~setback and/or easements~~.

(4) A survey reflecting the approximate location of the septic system in relation to the proposed structure and the property lines.

BO: Add "foundation plan" to (1) as all new home construction must have a State of Tx stamped plan. Also add "setback and/or easements" to (3). We need all the information on the survey we can get so we can make an informed decision.

Sec. 3.02.006. - Permit procedures; stop work orders

(c) *Approval of plans and specifications.* All plans and specifications must be approved by the City Building Official prior to the issuance of any permit required by this Article. ~~In addition, the County Fire Marshal must review and approve all commercial construction permits in the interest of fire safety and seating capacity.~~

BO: Remove the last sentence requiring County Fire Marshal to review commercial plans. The Building Official should have the knowledge of fire safety and load requirements as shown in the 2015 IBC

(f) *Expiration of permit.* All permits shall expire and be considered no longer valid 180 days after issuance, ~~unless construction work there under has actually started before the expiration of such period of time. In addition, construction must be completed within one year from the date of issuance of the building permit.~~ The Building Official is authorized to waive these provisions if, in his opinion, the situation warrants such waiver.

BO: This needs to be 180 days flat because it will be nearly impossible to determine when all projects in the city have started. The contractor/owner can ask for a one-time extension of 180 days without fee. The second and subsequent requests for extension will require fee and inspection.

Sec. 3.02.007. - Permit fees

(1) New residential construction.

a. Includes single- and multiple-family residences.

b. Square footage includes all under-roof construction. Multi-story structures shall be calculated as above for each occupied floor and the sum of all floor area shall be construed as the aggregate area.

c. Fees to be paid by individual contractors upon application for a permit are as follows:

Recommended Ordinance Updates for Construction, Housing and Zoning

1. Building: \$0.06 per square foot (\$25.00 minimum).
2. Foundation: \$64.00 (each inspection).
3. Framing: \$40.00 (one phase inspection).
4. Insulation: \$40.00 (one phase inspection).
5. Wallboard: \$40.00 (one phase inspection).
6. Electrical: \$160.00 (four phase inspection).

BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IRC.

(2) New commercial construction.

- a. Building: \$0.08 per square foot (minimum \$48.00).
- b. Foundation: \$64.00 (each inspection).
- c. Framing: \$40.00 (one phase inspection).
- d. Electrical: \$160.00 (four phase inspection).
- e. Plumbing: \$120.00 (three phase inspection).
- f. Mechanical: \$80.00 (two phase inspection).
- g. Wallboard: \$40.00 (one phase inspection).
- h. Sprinkler system: \$64.00 (one phase inspection).

BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IBC

(6) Residential/commercial remodel, renovation and alteration.

- a. Residential.
 1. Building: \$0.06 per square foot (\$50.00 minimum).
 2. Foundation: \$64.00 (each inspection).
 3. Framing: \$40.00 (each phase inspection).
 4. Electrical: \$40.00 (each phase inspection).
 5. Plumbing: \$40.00 (each phase inspection).
 6. Mechanical: \$40.00 (each phase inspection).
7. Wallboard: \$40.00 (one phase inspection).

Recommended Ordinance Updates for Construction, Housing and Zoning

8. Certificate of occupancy: \$40.00 (one phase inspection).

BO: Add a wallboard inspection to new construction because we should be inspecting it per 2015 IRC/IBC

(7) Swimming pools.

a. Flat rate fee for each swimming pool: ~~\$80.00~~ \$160.00

b. Includes a layout inspection, a rough-in inspection of the steel bonding, high/low voltage electrical, deck bonding and plumbing and then a final inspection of the electrical system and security fencing. pool barriers and the required window and door alarms that comply with ASTM f2090.

BO: Change rate of swimming pools due to fact there must be so many inspections for a pool. The current price does not cover the required inspections. We should always conduct a layout inspection to verify the pool is in the correct location. Then when the shell is done, we check shell bonding with stingers and low voltage conduit along with verifying a water bond in the skimmer or at the equipment. We will also verify a halo bond is installed with deck bonding and any other metal parts within 5' of waters edge. Then the final requires fencing and alarms and verifying all pool equipment is bonded.

Sec. 3.02.008. - Certificate of occupancy; required inspections

(b) Required inspections.

(1) Building:

- a. Survey plan setback lines.
- b. Foundation and steel.
- c. Framing.
- d. Insulation.

e. Wallboard

f. Masonry/fireplace.

g. Driveways and flatwork.

h. Final and certificate of occupancy.

(2) Electrical:

- a. TBM (temporary building meter/pole).
- b. Rough-in.

Recommended Ordinance Updates for Construction, Housing and Zoning

c. Conditional final.

d. Final.

e. Electrical service

(3) Plumbing/gas:

a. Rough-in

b. Top out (stack)

c. Final.

(4) Mechanical:

a. Mechanical rough-in.

b. Mechanical final.

(5) Energy final

(6) Miscellaneous inspections:

a. Accessory building.

b. Garage/carport additions (attached or detached).

c. Blasting.

d. Fence.

e. Swimming pools.

f. Other.

BO: Add "wallboard, electrical service and energy final inspections to the required inspections for new homes.

Sec. 3.02.012. - Sanitation facilities on construction sites

Temporary sanitation facilities shall be required on all construction sites **and shall not be placed on the public street.**

BO: I have recently had issues with contractors placing porta johns on the street which is a risk for storm water drainage. They should all be on a controlled lot.

Sec. 3.02.015. - Swimming pool fencing

Recommended Ordinance Updates for Construction, Housing and Zoning

(a) All outdoor swimming pools of a permanent or semi-permanent construction having a depth of more than 14 inches, whether constructed above or below the ground, shall be enclosed by a fence installed in accordance with ~~Appendix B, Section B105, of the International One and Two Family Dwelling Code, 2000 edition~~. At no time shall the fence be in conflict with or violation of existing ordinances setting out clearances around fire hydrants or clearances from street corners or ordinances touching upon sight clearances.

BO: Replace verbiage with " Ch. 3 Sec. 305 Barrier Requirements of the 2018 International Swimming Pool and Spa Code ISPSA per State of Texas"

Aug 12, 2019 — Texas passed HB 2858 to improve safety of pools and spas throughout the state.

Sec. 3.02.051. - Residential construction

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Residential **Code For** One- and Two-Family Dwellings ~~Code~~, 2015 edition, International Energy Conservation Code, 2015, published by the International Code Council, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article, with amendments thereto.

BO: Add "Code For" and remove "Code" at the end of the code title to be correct in our terminology.

Sec. 3.02.052. - Commercial construction

All design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, or addition to commercial property in the City and providing for the issuance of permits and the collection of fees therefor; and each of all the regulations, provisions, conditions and terms of the International Building Code, 2015 edition, **International Energy Conservation Code, 2015 edition** published by the International Code Council, and the ADA and 2012 TAS standards, on file in the office of the City, are hereby referred to, adopted and made part hereof as if fully set out in this Article.

BO: Add "International Energy Conservation Code, 2015 edition" to be in compliance with State

Also ADA Compliance Regulations as approved by P&Z and City Council.

Sec. 3.02.101. - Residential construction

Recommended Ordinance Updates for Construction, Housing and Zoning

Standards. All plumbing work performed within the City limits must be in compliance with the ~~International One and Two-Family Dwelling Code, 2015 edition.~~ International Residential Code For One and Two-Family Dwellings, 2015 edition

BO: Make the above correction to have accurate title of publication

Sec. 3.02.151. - Electrical code; permits

(a) *Standards.* All electrical work performed within the City limits must be in compliance with the National Electrical Code, ~~2014 edition~~ 2023 edition per TDLR. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe and durable and within the intent of the code.

(b) *Application for permit; bond.* All applications for electrical permits must be personally made by a licensed electrical contractor or licensed electrician ~~The City will accept electrical licenses that are current from any other City provided the appropriate surety bond has been posted with the Building Official.~~

BO: Remove "2014 edition" and replace with "2023 edition per TDLR". The State of Texas minimum requirement for electrical is the 2023 NEC.

The licenses for Electricians are state issued by TDLR. Remove language for city licensing. Makes it confusing.

Sec. 3.02.201. - Residential construction

(a) *Standards.* All mechanical work done within the City limits must be in compliance with the International Residential Code For One- and Two-Family Dwellings ~~Code~~, 2015 edition. The Building Inspector may authorize minor deviations from the code as long as the work is safe, durable and within the intent of the code.

BO: Make above change to reference correct document title.

Sec. 3.02.251. - Residential construction

(a) *Standards.* All gas work performed within the City limits must be in compliance with the International Residential Code For One- and Two-Family Dwelling ~~Code~~, 2015 edition. The Building Inspector may authorize minor deviations from the code as long as the work is considered safe, durable and within the intent of the code.

BO: Make above change to reference correct document title.

Sec. 3.02.303. - On-site sewage facilities

(a) *Generally.* Where the sanitary sewer is not available, septic systems ~~may~~ shall be installed as provided herein according to the plans and specifications as outlined below.

Recommended Ordinance Updates for Construction, Housing and Zoning

BO: Remove "may" and add "shall". There is no other option other than city sewer and OSSF

Sec. 3.02.351. - One- and two-family dwelling code

The City adopts the International Residential Code For One- and Two-Family Residential Building Code Dwellings with the following changes:

BO: Make above change to reference correct document title

~~(E) Page 89, R403.1.6, Foundation anchorage:~~

~~Delete: Shall extend a minimum of 7 inches into masonry or concrete:~~

~~Insert: 1/2" x 8" anchors shall extend a minimum of 6 inches into masonry or concrete and be placed within 12 inches of every exterior corner and plate end, and not more than 6 feet on center on all exterior plates:~~

BO: Why. Delete deletion. This is less restrictive and there is an inch less of uplift protection.

ARTICLE 3.03. - HOUSING CODE

Sec. 3.03.003. - Scope; designation of Building Official

~~(c) The City Manager is referred to in this Code as the "Building Official." The City Manager Building Official may delegate his responsibility to the City Building Inspector or other City employee as he deems appropriate.~~

BO: Remove 1st sentence and the position City Manager in the second sentence and replace with Building Official

Sec. 3.03.004.- Penalty

Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punishable by a fine not to exceed \$1,000.00 in all cases arising under the ordinances of the City that govern fire safety, zoning and public health and sanitation, other than vegetation and litter violations, ~~and not to exceed \$200.00 in all other cases;~~ provided that no penalty shall be greater or less than the penalty provided

Recommended Ordinance Updates for Construction, Housing and Zoning

for the same or a similar offense under the laws of the State. Each day or fractional part thereof any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

BO: Remove "and not to exceed \$200.00 in all other cases" to keep simple. Litter violations are one of the smallest violations of housing code but is shown under \$1000 fine.

Sec. 3.03.031. - Created; membership; hearings.

(a) There ~~may be~~ **is hereby** established in the City a board, ~~in leu of City Council acting in this capacity,~~ to be called the Housing Board of Adjustments and Appeals, hereinafter referred to within this Article as the Housing Board, which shall consist of five members. The members of the Housing Board shall be appointed by the City Council.

(b) Of the members first appointed, two shall be appointed for a term of one year, two for a term of two years, and one for a term of three years, and thereafter they shall be appointed for terms of four years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. ~~Consecutive~~ **Continued** absence of any member from ~~3~~ **(three)** regular meetings of the Housing Board shall render any such member liable to immediate removal from office. Any member of the Housing Board may be removed at any time by a majority vote of the City Council for inefficiency, neglect of duty or malfeasance in office.

(c) Three members of the Housing Board shall constitute a quorum. In varying the application of any provision of this Article or in modifying an order of the Building Official, affirmative votes shall be required. No Housing Board member shall act in a case in which he has a personal interest.

(d) The ~~Building Official~~ City Secretary or designee shall act as Secretary to the Housing Board and shall make a record of all its proceedings.

(e) The Housing Board shall elect a ~~ChairPerson~~ **chairman** from among its members.

(f) The Housing Board shall establish rules and regulations for its own procedure and for the conduct of hearings not inconsistent with the provisions of this Article. The Housing Board shall meet at regular intervals to be determined by the ~~ChairPerson~~ **Chairman**, or, in any event, the Housing Board shall meet within ten days after a notice of appeal has been received.

BO: Do we need to create a Housing Board or can City Council act as Board? ~~Per City Counsel, no need for board at this time.~~

Recommended Ordinance Updates for Construction, Housing and Zoning

Suggest removing "Building Official" from (d) and replace with City Secretary or designee. The Building Official will be too busy presenting a housing case to the Board to be able to record the minutes of the meeting as well.

Sec. 3.03.061. - Duties of Building Official

The Building Official, or his designate, is hereby charged with the duty of enforcing this housing code. For the purposes of the housing code, his designate may include the Fire Marshal, Fire Chief, Police Chief or City Manager.

BO: I was told we do not have an active Fire Marshal for MPR. Suggest removing Fire Marshal and replacing with Fire Chief, Police Chief or City Manager so we have someone that can perform the BO duties in his/her absence.

Sec. 3.03.063. - Notice of violation—Service on owner

(c) The notice shall state that, if such repair, reconstruction, alteration, removal or demolition is not voluntarily completed within the stated time as set forth in the notice, the Housing Building Official shall schedule the subject property for presentation to the Housing Board of Adjustments and Appeals for their review and decision. The owner and all others with legal interest in the property, as shown by deed records of the County, shall be notified of the date, time and place of the hearing of such case presentation.

BO: Remove term "Housing" Official and replace with "Building" Official. Its better having a SPOC instead of a Building Official, Housing Official, Health Official, Code Official, etc.

~~(3) By publication of such notice in a newspaper of general circulation not less than three times within a 15-day period. This form of notice shall only be used when notice as provided in subsections (1) and (2) above is unobtainable. By posting such notice on or at the property in question.~~

BO: Remove all language in number 3 and add "By posting such notice on or at the property in question". The state of Texas says by registered mail alone it is considered delivered. Removing would save the city money.

CHAPTER 214. MUNICIPAL REGULATION OF HOUSING AND OTHER STRUCTURES

(r) When a municipality mails a notice in accordance with this section to a property owner, lienholder, mortgagee, or registered agent and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

Sec. 3.03.102. - Demolition of property

~~(a) In all instances where the decision of the Building Official requires demolition of property and where, although notice of such order is sent, neither appeal from such order nor compliance with the terms of such order is had, the Building Official shall, after the date set out for the initiation of compliance with the order has passed, file an appeal for such person~~

Recommended Ordinance Updates for Construction, Housing and Zoning

~~for the purpose of having such decision reviewed by the Housing Board. The appeal shall be filed in the name of the owner of the property ordered demolished and the Building Official shall notify the owner of such action and the time, date and place of the hearing.~~

~~(b) When the Building Official appeals a case in which demolition is required, he shall cause to be printed in a newspaper of the County a list of such buildings, which shall have a heading describing the hearing, the purpose thereof, and the date thereof and shall list all buildings by street address, lot, block, and subdivision, and the owner's name as per tax records of the City.~~

BO: Remove entire section of 3.03.102. Sec 3.03.101 has the Notice of Appeal procedures that are available to the violators. This is a lot of unnecessary work and cost to city and no other local cities offer this.

Chapter 214 The Texas Housing Code does not specifically require a Building Official to file an appeal for a demolition order.

Sec. 3.03.103. - Conduct of hearing

(a) Upon receipt of the notice of appeal, the Building Official shall give written notice to the owner, occupant, mortgagee, and/or all other persons having an interest in the building to appear before the Housing Board on the date specified in the notice to show cause why the order contained in the notice of the Building Official should not be complied with. Such written notice may be served by any Police or Warrant Officer of the City or any other persons of good character or may be sent via the United States mail.

BO: If sending by mail is sufficient then it makes sense to reduce cost by removing requirement for someone to physically serve the notice.

Sec. 3.03.106. - Appeal to City Council

~~(a) The City Council shall review every case involving a decision of the Housing Board requiring demolition of property for the limited purpose of determining if there is substantial evidence to support the findings and decision of the Housing Board. The aggrieved party shall file with the City Secretary a written notice of appeal to the City Council within ten days after rendition of the decision of the Housing Board. If the aggrieved party shall fail or refuse to do so, then the Building Official shall file a notice of appeal for him.~~

BO: Why have Council review every Demo order. They should review appeals received from the violators. They should have confidence in the expert witness of the Building Official and prior proceedings with the Housing Board.

Recommended Ordinance Updates for Construction, Housing and Zoning

Also, they have the opportunity to file an appeal themselves. The state does not require the Building Official to file the appeal for them as shown above

Sec. 3.03.152. - Space and egress requirements

~~(b) Every dwelling shall contain at least 150 square feet of floor space plus 100 square feet of floor space for each occupant, the floor space to be calculated on the basis of total habitable room area~~

BO: Remove all language in Sec 3.03.152 (b). This contradicts the requirements of Zoning Appendix B Table 10.1 Area Regulations. Minimum of any dwelling is 800 square feet

~~(c) Floor area shall be calculated on the basis of habitable room area. However, the closet area and hall area within the dwelling, where provided, may count for not more than ten percent of the required habitable floor area~~

BO: Remove second sentence regarding closet and hall allowed as habitable space. Contradicts adopted 2015 IRC Ch. 2 Definitions, "Habitable Space". A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

Recommended Ordinance Updates for Construction, Housing and Zoning

CHAPTER 6 HEALTH AND SANITATION

ARTICLE 6.02. - HEALTH OFFICER-BUILDING OFFICIAL

BO: Remove "Health Officer" and replace with "Building Official" for consistency.

Sec. 6.02.001. - ~~Office created; appointment; term~~ Employment of Building Official

~~There is hereby created the office of Health Officer, an executive office of the City. He shall be appointed by the City Council for a term of two years or until his successor is appointed. The initial term shall begin upon passage of this Article and shall terminate June 1, 1985. Thereafter the term shall expire on June 1 in each odd-numbered year. The position of Building Official will be at-will employment with the city of MPR~~

BO: Remove requirement for the Building Official to be appointed. The BO will be hired for employment by the City of MPR.

Sec. 6.02.002. - Duties

It shall be the duty of the ~~Health Officer~~ Building Official to enforce all ordinances containing provisions for the protection of public health, and to make inspections of foodstuffs and of the premises used for storing or selling of provisions as may be provided by ordinance, and he shall perform such other duties and functions as may be required by statute or ordinance

BO: Replace Health Officer with Building Official for consistency.

Sec. 6.02.003. - Enforcement of rules and orders of Board of Health

~~The Health Officer shall enforce all the rules and orders of the Board of Health and shall attend the meetings of said board when requested to do so by the presiding officer.~~

Recommended Ordinance Updates for Construction, Housing and Zoning

BO: MPR does not have an active Board of Health. Sec 6.02.002 describes duties of Building Official regarding enforcing adopted statutes or ordinances.

Sec. 6.02.004. - Reports and recommendations

The ~~Health Officer~~ Building Official shall make such reports to the City Council as may be required. He shall also make recommendations for rulings, orders or ordinances respecting the public health whenever he is requested to do so, or whenever he deems it necessary or advisable.

BO: Replace Health Officer with Building Official for consistency.

Sec. 6.04.002. - Enforcement

(a) The ~~Chief of Police~~ Building Official is hereby designated and charged with enforcing the procedures for abating nuisances under this Article and shall hereinafter be referred to as the "~~Health Official~~" Building Official. The ~~Health Official~~ Building Official shall conduct administrative hearings as provided by this Article.

(b) The Police Department and its members are hereby authorized under the direction of the ~~Health Official~~ to administer the procedures under this Article, except that any authorized person may abate the nuisance.

(c) The ~~Health Official~~ Building Official, police officers, or an authorized designee of the ~~Health Official~~ Building Official may enter onto or into any private property for the purposes of enforcing this Article in both discovery and abatement if probable cause exists for such belief.

BO: Remove the requirement of Health Official to be the Chief of Police. Also replace all instances of the position Health Official with Building Official for consistency.

Sec. 6.04.006. - Notice to abate

(a) Whenever any public health nuisance exists on property or premises within the City limits in violation of Section 6.04.004 of this Article, the ~~Health Official~~ Building Official shall provide ~~seven~~ 7 to 30 days depending on extent of violation, violators resources, etc. written notice to abate the public health nuisance to the owner or occupant of the property or premises.

Recommended Ordinance Updates for Construction, Housing and Zoning

(b) The notice to abate shall be sent by certified mail, return receipt requested, to the owner or occupant of any property or premises within the City limits on which the public health nuisance exists and a posting of such notice will be placed on or at the property in question.

BO: Add a timeframe to abate a property instead of just setting a time limit across the board. Abatement is not limited to a small task. One property may need the front yard abated, but another property needs to abate 5 acres. You cannot abate 5 acres in 7 days reasonably.

Add posting an abatement notice at the property as I post all notices on the properties in question. It alleviates the question of reasonable service to the owner

Sec. 6.04.007. – Citations

The ~~Health Official~~ Building Official or his designees are authorized to issue a citation to any person who violates the provisions of Section 6.04.004 of this Article

BO: Replace Health Official with Building Official for consistency.

Sec. 6.04.010. - Abatement of dangerous weeds without notice

(4) An explanation that the property owner has a right to request an administrative hearing by filing a written request with the ~~Health Official~~ Building Official not later than the 30th day after the date of the abatement of the weeds

BO: Replace Health Official with Building Official for consistency.

Sec. 6.04.011. - Administrative hearing on abatement of weeds.

~~(a) The Health Official shall conduct an administrative hearing on the abatement of the weeds under this Article if, not later than the 30th day after the date of the abatement of the weeds, the property owner files with the Health Official a written request for a hearing.~~

~~(b) The hearing before the Health Official shall be conducted not later than the 20th day after the date a request for a hearing is filed.~~

~~(c) The property owner may testify or present any witnesses or written information relating to the City's abatement of the weeds.~~

~~(d) The City may assess expenses and create liens under this Section as it assesses expenses and creates liens under this Article~~

Recommended Ordinance Updates for Construction, Housing and Zoning

BO: Remove all language of Sec. 6.04.011. We have not created this process. We will utilize the Municipal Court that is provided rather than creating more work for everyone that is just not needed.

Sec. 6.04.012. - Assessment of City's expenses; lien

(b) To obtain a lien against the property, the ~~Health Official~~ Building Official or City Secretary shall file a statement of expenses with the County Clerk.

BO: Remove "Health Official" and replace it with "Building Official or City Secretary".

Sec. 6.04.013. - Criminal penalty

(a) Procedures for abatement and removal of a public health nuisance by the ~~Health Official~~ Building Official under this Article are independent and cumulative of criminal penalties provided herein.

BO: Replace Health Official with Building Official for consistency.

Sec. 6.05.001. - Definitions

Exterior storage means storage of goods or items such as household goods, tools, building materials or other items intended to be stored indoors.

BO: Add the definition exterior storage because a lot of time people are storing items outside that may not necessarily be litter, rubbish, refuse, etc. This allows Code Enforcement to address this common issue.

Handbill, commercial means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, or booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

(1) Which advertises for sale any merchandise, product, commodity, or thing;

(2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales;

(3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind when either of the same is held;

Recommended Ordinance Updates for Construction, Housing and Zoning

~~given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind without a license where such license is or may be required by any law of this State or ordinance of this City; or~~

~~(4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes; or for the private benefit and gain of any person so engaged as advertiser or distributor.~~

~~**Handbill, noncommercial** means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, or booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definition of a commercial handbill or newspaper.~~

~~**BO: Remove verbiage referring to Handbills. This is not a common practice anymore.**~~

Sec. 6.05.008. – Throwing from vehicle

~~No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the City or upon private property.~~

~~**BO: Remove Sec 6.05.008. This is not a housing violation, but rather a moving violation**~~

Sec. 6.05.009. – Litter blown from or deposited by vehicle

~~No person shall drive or move any truck or other vehicle within the City unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place.~~

~~**BO: Remove Sec 6.05.009. This is not a housing violation, but rather a moving violation**~~

Sec. 6.05.012. – Distribution of handbills

~~(a) **Depositing in public place.** No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the City.~~

~~(b) **Placing under windshield wiper of vehicles.** No person shall throw or deposit any commercial or noncommercial handbill under the windshield wiper of any vehicle.~~

Recommended Ordinance Updates for Construction, Housing and Zoning

~~(c) Depositing on uninhabited or vacant premises. No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.~~

~~(d) Distributing or depositing at posted premises. No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous position near the entrance thereof a sign bearing the words: "No Trespassing," "No Peddlers or Agents," "No Advertisements," or any similar notice indicating in any manner that the occupants or owners of such premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises.~~

~~(e) Depositing at inhabited private premises:~~

~~(1) Generally. In case of inhabited private premises which are not posted, any person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets, or other public places, and except that mailboxes may not be so used when so prohibited by Federal postal law or regulations.~~

~~(2) Exemption for mail and newspapers. The provisions of this Section shall not apply to the distribution of mail by the United States, nor to newspapers, except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property.~~

BO: Remove verbiage referring to Handbills. This is not a common practice anymore

APPENDIX B. - ZONING ORDINANCE

Section 3. – Definitions

Approved Fence Materials: materials normally manufactured for, used as, and recognized as, fencing materials such as: wrought iron or other decorative metals suitable for the construction of fences, fired masonry, concrete, stone, metal tubing, wood planks, chainlink and vinyl composite manufactured specifically as fencing materials. Fence materials must also be materials approved for exterior use that are weather and decay-

Recommended Ordinance Updates for Construction, Housing and Zoning

resistant. The provisions of this Ordinance are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Code, provided that any such alternative has been approved by the Building Official, or his designee. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Ordinance in quality, strength, effectiveness, fire resistance, durability, and safety.

BO: Remove definition. HB 2439 removed the city's ability to regulate materials.

Building: Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

BO: We need to use the definitions as shown in the IRC as much as possible for consistency.

2015 IRC- Building shall mean any one- and two-family dwelling or portion thereof, including townhouses, that is used, or designed or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, and shall include accessory structures thereto

Carport: ~~is defined as a detached structured that is open on all sides designed or used to shelter vehicles.~~

BO: A carport can be attached to a structure and still be considered a carport. I suggest replacing this verbiage and replacing it with verbiage from IZC

2015 IZC- A carport is a structure that is open on not less than 2 sides and has floor surfaces made of approved noncombustible material. Carports that are not open on two or more sides must comply with garage regulations.

Certificate of Occupancy: An official certificate issued by the City through the Building Official for the approved use and occupancy which indicates conformance with or approved conditional waiver from the zoning regulations and authorizes legal use of the premises for which it is issued; may be referred to as an Occupancy Permit. that the structure complies substantially with the plans and specifications that have been submitted to, and approved by the City.

BO: I suggest the additions to be more specific about what a C of O is

City Building Official: City Manager of the City of Morgan's Point Resort, Texas. The City Building Official shall perform all the duties necessary for the processing of permit applications. The City Building Official has the duty to receive, review, approve, modify or reject all applications for the issuance by the City of Building permits. No building permit shall be issued without the written approval of the Building Official. The Building Official

Recommended Ordinance Updates for Construction, Housing and Zoning

shall have the authority to grant variances on setback lines and, side and rear lot lines. The City Building Official may also perform the duties of City Building Inspector.

BO: Remove the City Manager requirement for consistency. Also, the BO should not have the authority to grant variances. This is a P and Z task.

Recreational Vehicle (RV): A portable or mobile living unit used for temporary human occupancy away from the place of permanent residence of the occupants and self propelled (motorized) or tow behind. Also see heavy load vehicle. A recreational vehicle park is an area or commercial campground for RVs and similar vehicles or trailers to reside, park, rent, or lease on a temporary basis.

BO: Add "or tow behind" to include all Rv's. I also believe we should define temporary basis at this location, 29 days?

Structural Alterations: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, foundations or any substantial change in the roof or in the exterior walls.

BO: Add "foundations" to structural alterations

Temporary Basis: 29 or less days in the same location. 30+ days will be considered permanent basis.

BO: Add definition of temporary basis.

Section 10. - Single-family Residential. Modified

G. Storage of any kind is prohibited on any vacant lot which is not adjacent to a main dwelling owned by the same owner.

BO: There are problems with excessive outside storage. It creates an environment conducive to pests, etc.

Section 12. - Manufactured Housing

2. Modular or industrialized housing units including Tiny Homes.

BO: Tiny Homes seem to fit in this category and which are getting very popular.

B. All required skirting shall be of a texture and color similar to the materials used in the construction of the manufactured home unit.

BO: HB 2439 removed municipality ability to regulate appearance of materials

Section 13. - Recreational Vehicle/Camper

D. No permanent structures such as porches, awnings, sheds, fences

Recommended Ordinance Updates for Construction, Housing and Zoning

BO: Add verbiage to deter adding permanent structures at RV spots.

Section 15. - Specific Use Permit

ZONING

The Planning Commission, Building Official or City Council may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function and characteristics of any building or use proposed.

BO: Add "Building Official" because I should also be reviewing SUP's.

The Zoning Commission, Building Official and City Council shall consider the following criteria in determining the validity of the Specific Use Permit request:

BO: Add "Building Official" because I should also be reviewing SUP's.

C. No Specific Use Permit shall be granted unless the applicant, owner and grantee or [of] the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit, as attached to the site plan drawing (or drawings) and approved by the Zoning Commission, Building Official and City Council.

BO: Add "Building Official" because I should also be reviewing SUP's.

Section 16. - Off-street Parking and Loading Requirements

~~B. The street right-of-way between the paved roadway and the property line of adjacent property shall be available for parking of passenger cars and light trucks of not more than one ton carrying capacity.~~

BO: Remove B due to water meter boxes are not traffic rated and Public Works need access to these ROW areas.

Section 18. - Accessory Building and Use Requirements

A. An accessory building shall not be used for commercial purposes and shall not be rented in districts zoned other than C/R Commercial/Retail Single-Family Residential (SFR), Multifamily Residential (MFR), or Manufactured Housing (MH).

BO: Remove zones so theres no question with AG

Section 19. - Landscape Requirements—Residential. Modified

19.2 Landscape Requirements

Home Occupation?

Recommended Ordinance Updates for Construction, Housing and Zoning

A. The street right-of-way between the paved roadway and the property line of adjacent property shall be available for parking of passenger cars and light trucks of not more than one ton carrying capacity.

BO: Remove A due to water meter boxes are not traffic rated and Public Works need access to these ROW areas.

Section 20. - Screening Fence and Wall Standards

20.4 General Requirements.

~~A. No fence material shall be used to construct a fence except for those listed and regulated in this Chapter or other City ordinances.~~

BO: Remove A. HB 2439 removed municipality ability to regulate appearance of materials

B. Construction in front yards.

1. All fences constructed in the front yard of a residential property shall:

a) Be no taller in height than sixty (60") inches as defined in Section 20.05, G, when opacity is fifty percent (50%) or greater.

b) Be no taller in height than forty-eight (48") inches as defined in Section 20.05, G, when opacity is less than fifty (50%) percent.

c) Not impede the vision triangle.

~~d) Not be constructed using chainlink.~~

BO: Remove D. HB 2439 removed municipality ability to regulate appearance of materials

Recommended Ordinance Updates for Construction, Housing and Zoning

CHAPTER 14

APPENDIX B. - ZONING ORDINANCE

Section 3. - Definitions

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Recommended Ordinance Updates for Construction, Housing and Zoning

resistant. The provisions of this Ordinance are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Code, provided that any such alternative has been approved by the Building Official, or his designee. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Ordinance in quality, strength, effectiveness, fire resistance, durability, and safety.

BO: Remove definition. HB 2439 removed the city's ability to regulate materials.

Building: Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

BO: We need to use the definitions as shown in the IRC as much as possible for consistency.

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Recommended Ordinance Updates for Construction, Housing and Zoning

shall have the authority to grant variances on setback lines and, side and rear lot lines. The City Building Official may also perform the duties of City Building Inspector.

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BO: Add "or tow behind" to include all Rv's. I also believe we should define temporary basis at this location, 29 days?

Structural Alterations: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, **foundations** or any substantial change in the roof or in the exterior walls.

BO: Add "foundations" to structural alterations

Temporary Basis: 29 or less days in the same location. 30+ days will be considered permanent basis.

BO: Add definition of temporary basis.

} DAYS ?

Section 10. - Single-family Residential. Modified

G. Storage of any kind is prohibited on any vacant lot which is not adjacent to a main dwelling owned by the same owner.

BO: There are problems with excessive outside storage. It creates an environment conducive to pests, etc.

Section 12. - Manufactured Housing

2. Modular or industrialized housing units **including Tiny Homes**.

BO: Tiny Homes seem to fit in this category and which are getting very popular.

~~B. All required skirting shall be of a texture and color similar to the materials used in the construction of the manufactured home unit.~~

BO: HB 2439 removed municipality ability to regulate appearance of materials

Section 13. - Recreational Vehicle/Camper

D. No permanent structures such as porches, awnings, sheds, fences

Recommended Ordinance Updates for Construction, Housing and Zoning

BO: Add verbiage to deter adding permanent structures at RV spots.

Section 15. - Specific Use Permit

The Planning Commission, **Building Official** or City Council may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function and characteristics of any building or use proposed.

BO: Add "Building Official" because I should also be reviewing SUP's.

The Zoning Commission, **Building Official** and City Council shall consider the following criteria in determining the validity of the Specific Use Permit request:

BO: Add "Building Official" because I should also be reviewing SUP's.

C. No Specific Use Permit shall be granted unless the applicant, owner and grantee or [of] the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit, as attached to the site plan drawing (or drawings) and approved by the Zoning Commission, **Building Official** and City Council.

BO: Add "Building Official" because I should also be reviewing SUP's.

Section 16. - Off-street Parking and Loading Requirements

~~B. The street right-of-way between the paved roadway and the property line of adjacent property shall be available for parking of passenger cars and light trucks of not more than one ton carrying capacity.~~

BO: Remove B due to water meter boxes are not traffic rated and Public Works need access to these ROW areas.

Section 18. - Accessory Building and Use Requirements

~~A. An accessory building shall not be used for commercial purposes and shall not be rented in districts zoned other than C/R Commercial/Retail Single-Family Residential (SFR), Multifamily Residential (MFR), or Manufactured Housing (MH).~~

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Section 19. - Landscape Requirements—Residential. Modified

19.2 Landscape Requirements

Recommended Ordinance Updates for Construction, Housing and Zoning

7
A. The street right-of-way between the paved roadway and the property line of adjacent property shall be available for parking of passenger cars and light trucks of not more than one ton carrying capacity.

BO: Remove A due to water meter boxes are not traffic rated and Public Works need access to these ROW areas.

Section 20. - Screening Fence and Wall Standards

20.4 General Requirements.

?
A. ~~No fence material shall be used to construct a fence except for those listed and regulated in this Chapter or other City ordinances:~~

BO: Remove A. HB 2439 removed municipality ability to regulate appearance of materials

B. Construction in front yards.

1. All fences constructed in the front yard of a residential property shall:

✓ a) Be no taller in height than sixty (60") inches as defined in Section 20.05, G, when opacity is fifty percent (50%) or greater.

✓ b) Be no taller in height than forty-eight (48") inches as defined in Section 20.05, G, when opacity is less than fifty (50%) percent.

✓ c) Not impede the vision triangle.

d) ~~Not be constructed using chainlink.~~

✓ **BO: Remove D. HB 2439 removed municipality ability to regulate appearance of materials**