



**PLANNING & ZONING MEETING REGULAR SESSION
Tuesday, April 25, 2023, 6:00 PM**

EVENT CENTER 60 MORGAN'S POINT BOULEVARD

To View the meeting go to: www.MorgansPointResortTX.com/YouTube

Call to Order

Announcements and Citizens Comments

Presentations

PUBLIC HEARING - ZONING OF THE CLIFFS AT LAKE BELTON PHASE II TO RESIDENTIAL

1. Approval of Minutes

- a.** Discuss and Consider - Minutes of March 28, 2023

2. Regular Agenda

- a.** Discuss and Consider - Zoning of The Cliffs of Lake Belton Phase II to residential
- b.** Discuss and Consider - Appointment of Chairperson
- c.** Discuss and Consider - Garbage Ordinance draft recommendations in regards to Container Pads & Enclosures
- d.** Discuss and Consider - Estate Residential Recommendations for draft of Ordinance
- e.** Discuss and Consider - Sign Ordinance recommendations for draft

3. MPR Master Plan Update

4. Items for Future Agendas

5. Adjournment

I certify that a copy of the April 25, 2023 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 April 21 at 4:00PM and remained posted continuously for at least 72 hours proceeding 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. 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

Ophelia Rodriguez, City Secretary



PLANNING & ZONING COMMISSION
Tuesday, March 28, 2023, 6:00 PM
MINUTES

Call to Order Chairperson Cooley called the meeting to order at 6:00PM.

PRESENT

- Eric Seeliger
- Ken Hobbs
- Louis Guillaud
- Nathan Kruetter
- Rebecca Cooley
- Roxanne Stryker
- Thomas Westmoreland

Announcements and Citizens Comments – None

1. Presentations - None

2. Approval of Minutes

a. Discuss and Consider Minutes of February 28, 2023

Motion made by Hobbs, Seconded by Stryker.

Voting Yea: Seeliger, Guillaud, Kruetter, Westmoreland

3. Regular Agenda

a. Discuss and Consider Estate Residential Zoning

Lengthy discussion after review of draft. Staff will further work on draft.

b. Discuss and Consider changes to existing Garbage Ordinance

Members discussed and reviewed each item of the draft ordinance with changes and recommendations.

No action required.

c. Discuss and Consider - Handicap Parking Requirements

Commission member Louis Guillaud presented this item. No action on this item.

d. Discuss and Consider - Obsolete signs

Commission member Stryker presented this item. Brief discussion. No action needed.

4. MPR Master Plan Update

Next meeting planned for March 29, 2023.

5. Items for Future Agendas- None

6. Adjournment Meeting adjourned at 7:21PM

Rebecca Cooley, Chairperson
City of Morgan's Point Resort

ATTEST:

Ophelia Rodriguez, City Secretary
City of Morgan's Point Resort, Texas

CONTAINER PADS AND ENCLOSURES FOR COMMERCIAL CONTAINERS

By _____ 2024 (one year from enacting this ordinance), all commercial waste collection containers shall comply with the following standards for container pads and screening.

- (a) The use of a container for the removal of garbage, trash, and rubbish from a commercial establishment shall provide a readily accessible site for placement of container(s) on the establishment's property. Locating containers in streets, rights-of-way, the traveled portion of alleys, and intersection sight triangles is prohibited. The site must have overhead clearance to allow pickup and emptying of containers by the collection services vehicles. The site location shall be subject to approval of the City Manager, or appointed designee.
- (b) The pad and approach apron shall be constructed from concrete, asphalt, or stable impervious material to support the weight of collection vehicles. The pad shall be level with roadway or slope to roadway for easy access by collection vehicles.
- (c) The minimum dimensions of the approach apron shall be fourteen (14) feet wide and a depth of fifteen (15) feet. The approach drive shall not vary more than ten (10) degrees above or below the horizontal plane.
- (d) The minimum dimensions of the concrete pad, where a single container sits, shall be fourteen (14) feet wide and a depth of twelve (12) feet four (4) inches.
- (e) All pads shall be enclosed, at minimum height of six (6) feet, on at least three (3) sides. Screens shall be constructed of masonry block, wood, chain link fencing with slats, or similar material and color to compliment the façade of the main building. Doors are required and shall have features to secure doors in an open position while the collection vehicle is emptying the container.
- (f) All pads shall have two (2) six-inch diameter bollards eight feet long, filled with concrete, four (4) feet above slab, and four (4) feet deep below slab. Bollards shall be placed at the back of the enclosure and far enough back to allow the full depth of the anticipated dumpster bin and any additional space needed to prevent dumpster bin(s) from conflicting with any other requirements. Bollards shall be no more than five (5) feet apart from each other.
- (g) No parking shall be allowed in the maneuvering area.

COMMERCIAL DUMPSTERS AND OWNER RESPONSIBILITY

- (a) Sides and doors of all containers shall be kept closed at all times except when the container is being filled or unloaded for disposal.
- (b) Spoilable waste shall be placed in disposable containers or plastic bags capable of preventing leakage. The disposable container with contents shall be placed unbroken, into the container, not outside.
- (c) It shall be unlawful to place any item in any dumpster that because of weight, size, other physical property, could cause damage to the collection services vehicle, per service providers perimeters.

ESTATE RESIDENTIAL DISTRICT

Section XX. - Estate Residential.

XX.1 General Purpose and Description. The estate residential district is intended to provide for the primary development of single-family detached dwelling units and accessory structures.

XX.2 Primary Permitted Uses

1. Single-family detached dwellings
2. Primary Family Home

XX. 3 Accessory Uses

1. Greenhouses and gardens, limited to the propagation and cultivation of plants, provided no retail or wholesale business is conducted on the premises except as allowed as a home occupation.
 2. Accessory Dwelling Unit (ADU), including but not limited to casita, cottage, carriage home.
 3. The keeping of dogs, cats, and other normal household pets, according to Ordinance 14-7 [chapter 2 of the Code of Ordinances].
 4. Temporary buildings for uses incidental to construction work on the premises, which said building shall be removed upon completion or abandonment of construction work, by order of the Building Official
 5. Accessory buildings as established in Section 18 of this Ordinance.
 6. Swimming pool (private)
 7. A temporary bulletin board or sign appertaining to the lease, hire or sale of a building premise or acreage.
 8. Utilities (public or private)
14. Such uses as may be permitted under the provision of Specific Use Permits, [section 15].

XX.3 Height Regulations.

- A. Primary: Maximum Height—Two and one-half (2-1/2) stories
- B. Accessory Building Maximum Height- Twenty feet (20') or height of primary home, whichever is taller.

XX.4 Lot Requirements:

- A. Lot Area- Minimum 2 acres (87,120 square feet)
- B. Minimum Lot Width - Two hundred (200')
- C. Minimum Lot Depth - Two hundred fifty feet (250')
- D. Size of Yards:
 1. Primary Use:
 - i. Minimum Front Yard - Fifty feet (50')
 - ii. Minimum Side Yard - Ten percent (10%) of the lot width, twenty-five feet (25') from a street right-of-way for a corner lot.
 - iii. Minimum Rear Yard - Fifty feet (50')
 - iv. Maximum Lot Coverage: Combined total twenty-five percent (25%) of main buildings and accessory buildings.

- v. Minimum Floor Area per Dwelling Unit: One thousand-two hundred and fifty (1,250) square feet.
- 2. Accessory uses:
 - i. Minimum Front Yard - Fifty feet (50') or front façade of primary home
 - ii. Minimum Side Yard – 10 feet, twenty feet (20') from a street right-of-way for a corner lot.
 - iii. Minimum Rear Yard - Ten feet (10')
 - iv. Maximum Lot Coverage: Combined total twenty-five percent (25%) of main buildings and accessory buildings.
 - v. Maximum area of one structure: 50% of primary structure or 4,000 square feet, whichever is smaller.

XX.5 Special Requirements.

- A. Dwelling must be built on-site in all Sections except Sections 2, 10B, 14, 15, 18, 23, and the area adjacent to Section 10A.
- B. Sewerage must be approved prior to installation in all Sections.
- C. No building materials may be stored on-site, except during actual construction activities.
- D. Fencing is permitted according to the provisions of Section 20 of this Ordinance.

Section 18. - Accessory Building and Use Requirements.

18.1 General.

A. Accessory building is defined as a detached subordinate building, the use of which is customarily incidental to that of the primary building or to the main use of the land and which is located on the same lot with the primary building or use.

B. An accessory building shall not be used for commercial purposes in districts zoned Estate Residential (ER), Single-Family Residential (SFR), Multifamily Residential (MFR), or Manufactured Housing (MH).

C. An accessory building may be constructed or placed on the building site only after a Building Permit has been issued by the City and the main building has been issued a Certificate of Occupancy or the accessory building is built concurrently with the main building.

D. In districts zoned Single-Family Residential (SFR), Multifamily Residential (MFR), or Manufactured Housing (MH), a maximum of two (2) accessory buildings per building site will be permitted.

E. In the Estate Residential (ER) zoning district, a maximum of four (4) accessory buildings per building site will be permitted.

E. Lots contained within a building site shall not be sold separately.

F. Lot(s) on which accessory building is located may be sold separately if all accessory buildings are removed from lots other than the lot containing the main building prior to sale.

G. One additional accessory building used exclusively as a pumphouse is permitted on each building site.

H. The placement and use of a construction trailer shall be allowed on any building site. Construction trailers shall be removed within 10 days of the issuance of a Certificate of Occupancy for the main building.

18.2 Size, Height and Placement Regulations for Accessory Buildings.

A. An accessory building must be built or placed to the rear of the minimum required front setback line or at the front face of the main building, whichever is farthest from the front property line.

B. In districts zoned Single-Family Residential (SFR), Multifamily Residential (MFR), or Manufactured Housing (MH), an accessory building must not be built or placed closer than three feet (3') from the side and rear property lines. An accessory building may not be built or placed in a utility easement.

C. In the Estate Residential (ER) zoning district, an accessory building must not be built or placed closer than 10 feet from the side or rear property line or twenty feet (20') from a street right-of-way for a corner lot.

- D. The maximum height of an accessory building shall not exceed twenty feet (20').
- E. The permitted accessory building(s) must comply with all City, County, and State codes and regulations.
- F. One private parking garage erected on the building site, either attached or detached from the existing dwelling, shall be exempt from the restrictions set forth in this Section, if the garage meets or exceeds the officially adopted residential building code in effect at the time of the building permit.
- G. One carport may be erected on the driveway of the main building's building site. The carport may be erected beyond the front face of the main building and must comply with the area regulation setbacks.
- H. Temporary storage containers will be allowed, if properly permitted through the City Building Official. Storage "PODS" and "Conex" Shipping Containers, or any other similar container shall only be allowed on a building site for no more than ninety (90) days. Incremental time extensions may be granted by the City Building Official, if extenuating circumstances can be substantiated, but no longer than six (6) months.
- I. In districts zoned Single-Family Residential (SFR), Multifamily Residential (MFR), or Manufactured Housing (MH) the total floor space of all permitted accessory buildings may not exceed 5% of the total square footage of the building site or 1,500 square feet, whichever is less. All building sites shall be allowed to construct accessory building(s) up to a total of 250 square feet regardless of the size of the building site.
- J. In the Estate Residential (ER) zoning district, the maximum lot coverage is a combined total twenty-five percent (25%) of main buildings and accessory buildings. The maximum area of one structure is 50% of the total square footage of the primary structure or 4,000 square feet, whichever is smaller.

18.3 Nonresidential Accessory Buildings.

- A. The size and height of nonresidential accessory buildings shall be commensurate with the use of the main building.
- B. In districts zoned Single-Family Residential (SFR), Multifamily Residential (MFR), or Manufactured Housing (MH), an accessory building must be built or placed to the rear of the minimum required front setback line or at the front face of the main building, whichever is farthest from the front property line, and must not be built or placed closer than three feet (3') from the side and rear property lines. An accessory building may not be built or placed in a utility easement.
- C. In the Estate Residential (ER) zoning district, an accessory building must not be built or placed closer than 10 feet from the side or rear property line or twenty feet (20') from a street right-of-way for a corner lot. An accessory building may not be built or placed in a utility easement.

SIGN CODE

Sec. XX. – Sign Code

Sec. XX.1- Definitions

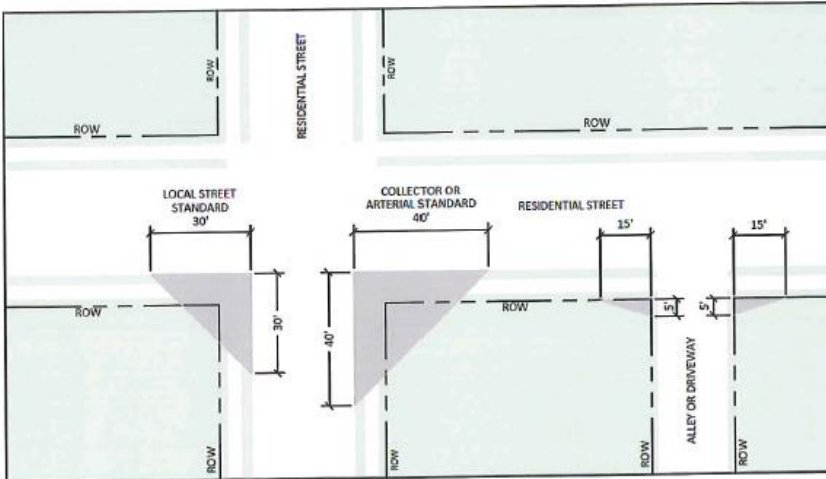
For the purposes of this Chapter, the following terms and words shall have the following meanings:

1. **Animated sign:** a sign with motion, action of flashing or other light and color changes which is activated by mechanical, electrical or other nonnatural means. Does not include changing message devices or wind-activated elements such as flags, pennants, or banner signs.
2. **Awning sign:** lettering placed on and awning with a structural frame that is attached to a building façade.
3. **Banner sign:** a sign made of canvas or other flexible materials with or without a structural frame and attached to a building, canopy, pole or other structure.
4. **Changing message device:** any sign that either:
 - a. Displays a static message which can be changed manually.
 - b. Displays a message that scrolls from left to right, for no more than eight seconds with an eight second break between messages, with all other portions of the sign static and unchanging, or
 - c. Changes electronically under the following conditions:
 - (i) The entire portion of the sign that can change shall be static and unchanging for at least eight seconds.
 - (ii) The time to completely change the entire portion of the sign that can change is a maximum of one second.
 - (iii) The change shall occur simultaneously for the entire portion of the sign that can change; and
 - (iv) No flashing or strobing
5. **Construction sign:** a temporary sign erected or placed on premises on which construction is taking place during the period of such construction indicating the names of owners, architects, engineers, landscape architects, contractors, artisans, financial supporters, or others having a role or interest with respect to the structure or project.
6. **Commemorative sign-** a sign, tablet, or plaque commemorating or memorializing a person, event, structure, or site.
7. **Directional or directing sign:** an on-premises incidental sign, not exceeding a maximum of four-square feet in area, designed to guide or direct pedestrian or vehicular traffic for information only. Such signs shall not contain any form of advertisement.
8. **Free expression sign:** a nonilluminated sign, not in excess of four square feet in size (area) per side and the top of the sign is not more than six feet off the ground, that functions to communicate information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful; provided, however, that in commercial zoning districts, a free expression sign may also function to communicate either

a commercial message or a noncommercial message. Signs shall not display gestures or words, which are obscene, profane, or pornographic in nature.

9. Freestanding sign: a sign which is not attached to a building.
 - a. Monument sign: a sign mounted directly to the ground with a base and with no visible space between the ground and the sign for the length of the base.(Figures 1, 2 and 3, located at the end of this section).
 - b. Pylon/pole sign: a sign with a visible support structure, which support structure may or may not be enclosed with a cover (Figure 4, located at the end of this section).
10. Illuminated sign:
 - a. Externally illuminated sign: a sign illuminated by a light source which is aimed at the sign.
 - b. Internally illuminated sign: a sign illuminated through transparent or translucent material from a source within the sign. Including, but not limited to: Neon, channel face lit, halo, and back lighting.
11. Marquee sign: a sign which is attached to, or hung from, a permanent roof like structure which is supported by a building wall and which projects out from the building line usually, over a public right-of-way such as a sidewalk.
12. Mural: Any picture, scene, or diagram painted on any exterior wall or fence not interpreted by to be advertising. Murals determined to be advertising shall be considered a sign and shall be included in the calculations of allowable sign area.
13. Occupancy frontage: the length of that portion of a building occupied by a single office, business or enterprise abutting a street, parking area, or other means of customer access.
14. Off-site sign: any combination of structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, advertising structure, advertising logos, symbol or other form, whether placed individually on or a V-type, back-to-back, side-to-side, stacked or double-faced display, designed, intended or used to advertise or inform, any part of the advertising message or informative contents of which is visible from any place on the main or traveled way and which sign relates in its subject matter to offices, products, accommodations, services or activities which are sold, produced, available, conducted or rendered at locations other than on the premises where the sign is located. The term does not include an official traffic control sign, official marker, specific information panel erected, or other form of public information caused to be erected or approved by any government upon its property or right-of-way.
15. On-site sign: any sign which advertisement is exclusively related in its subject matter to the use of the premises on which it is located or to offices, products, accommodations, services or activities sold, produced, provided, available or conducted on the premises where the sign is located.

16. Projecting sign: a sign which is erected or supported on the wall of a building or other structure and projects from it. Signs which extend into or over public space or street right-of-way, including roof signs, shall be considered as projecting signs (Figure 5, located at the end of this section).
17. Real estate sign: a temporary sign advertising the real estate upon which the sign is located as being for sale or rent.
18. Roof sign: a sign erected, constructed or maintained on the roof of a building or structure above the eaves, or above mansards, parapets, or other similar architectural features of buildings or structures which are capable of supporting signs.
19. Sign: a painting, structure, projected image, or device which is placed, erected, constructed or maintained on or in the ground or on or outside of an enclosed building, or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of display, information, advertisement or attraction of the attention of persons. Sign also includes any structure previously used as a sign, where the sign face, advertising or informational copy has been removed or become unreadable but the sign structure remains.
20. Sign area computation: the method by which the area of each surface of a sign is computed. For signs with fixed boundaries, frames or edges, it shall be computed by calculating the area within and including the exterior boundaries, frames or edges enclosing the letters or graphic matter which composes each sign surface. For signs with no fixed boundaries, frames or edges, such as where a sign is composed of separate letters which are placed or painted upon or against a building or upon or through a window or other similar surface not designed, framed or edged specifically for sign presentation, the sign area shall be computed on the basis of the smallest triangle, rectangle, square or circle encompassing the outermost exteriors of the outermost individual letters, words or numbers which yields the least total square footage of area. Computation of sign area shall include border trim.
21. Sight Visibility Triangle: the corner visibility triangle is defined at an intersection by extending the two ROW lines from their point of intersection to a distance as shown. These two points are then connected with an imaginary line to form the corner visibility triangle. If there are curbs existing, then the triangular area shall be formed by extending the curblines for a distance of thirty feet (30') from their point of intersection. A sign on the corner of a collector or arterial street must have a 40 ft x 40 ft sight visibility triangle. No sign of any style, size, or material shall be constructed in the sight visibility triangle.



22. Street frontage: the property line of a lot abutting the right-of-way line of public or approved private streets, excluding alleys to which such property has the legal right of access.
23. Street frontage sign: a sign which is allowed pursuant to this Section based on the amount of street frontage a lot has. A street frontage sign may be a ground, a freestanding or a roof sign.
24. Subdivision identification sign: a sign located at the intersection of two street rights-of-way where the only lettering shall be the name of the subdivision. Such sign may be illuminated only when the sign is abutting a right-of-way which is classified as collector or higher.
25. Temporary election sign: a temporary nonilluminated sign that functions to communicate support for or opposition to a candidate or stating a position regarding a ballot issue upon which the voters of the City shall vote. In a residential zoning district the maximum size (area) per side is four square feet. In a commercial zoning district the maximum size (area) per side is 16 square feet.
26. Wall sign: a sign attached to and parallel with a wall, including signs printed or painted on walls.
27. Wind-activated signs and inflatables: any display or sign designed and fashioned in such a manner as to move when subjected to wind pressure. Including: pennants, ribbons, feather signs, streamers, inflatables, and similar signs or devices.
28. Window sign: a sign painted on or otherwise affixed to a window or glass door, or located within five feet behind, and facing, a window, or glass door.

Sec. XX.X- Summary

Zoning District	AG	ER	SFR	MF	MH	RV/C	C/R
Sign Type							
Animated sign	P	P	P	P	P	A	A
Awning sign	P	P	P	P	P	A	A
Banner sign	A	P	P	P	P	A	A
Changing message device	P	P	P	P	P	A	A
Construction sign	A	A	A	A	A	A	A
Commemorative sign	A	A	A	A	A	A	A
Directional/ directing sign	A	P	A	A	A	A	A
Marquee sign	P	P	P	P	P	P	A
Monument sign	A	A	A	A	A	A	A
Mural	P	P	P	P	P	P	A
Projecting sign	P	P	P	A	P	P	A
Pylon/pole sign	A	P	P	A	A	A	A
Real estate sign	A	A	A	A	A	A	A
Temporary election sign	A	A	A	A	A	A	A
Wall sign	A	A	A	A	A	A	A
Wind-activated signs/ inflatables	P	P	P	P	A	A	A
Window sign	A	A	A	A	A	A	A

A- Allowed

P-Prohibited

C-Conditional?