



PLANNING & ZONING COMMISSION
Tuesday, July 25, 2023, 6:00 PM

EVENT CENTER 60 MORGAN'S POINT BOULEVARD

Call to Order

Announcements and Citizens Comments

Presentations

1. Approval of Minutes

- a.** Discuss and consider approval of June 27, 2023 minutes

2. Regular Agenda

- a.** Discuss and consider - Property setback lines
- b.** Discuss and Consider - ADA Parking Requirements/Handicap Parking Standards
- c.** Discuss and Consider - Backyard Hens Research

3. MPR Master Plan Update

4. Items for Future Agendas

5. P & Z Commission Updates & Comments

6. City Manager Updates & Comments

7. Adjournment

I certify that a copy of the 7/25/2023 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 7/21/2023 at 4:00PM and remained posted continuously for at least 72 hours preceding 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, June 27, 2023, 6:00 PM
EVENT CENTER 60 MORGAN'S POINT BOULEVARD
MINUTES

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

PRESENT

Nathan Kruetter
Rebecca Cooley
Thomas Westmoreland
Louis Guillaud, Jr.
Eric Seeliger

ABSENT

Ken Hobbs

Guest: CITCOG Representative Connie Quinto.

Announcements and Citizens Comments

There were none.

Presentations

There were none.

1. Approval of Minutes

- a. Discuss and Consider - Minutes of May 23, 2023
Motion to approve as written made by Commission member Seeliger.

Seconded by Westmoreland.
Voting Yea: Kruetter, Guillaud

2. Regular Agenda

- a. Discuss and Consider - open discussion with the issue of allowing Chickens within residential areas
City Staff will provide further information on other cities' ordinances at the next meeting.
- b. Discuss and consider - Application for P&Z member vacancy
Motion by Commission member Seeliger, to approve and forward to City Council for consideration of Justin Strawn as new member to Planning & Zoning Commission.

Seconded by Westmoreland.
Voting Yea: Kruetter, Guillaud

c. Discuss and consider - Signs Regulations/Definitions

After lengthy discussion, members concluded that ordinance for Signs and other ordinance discussions be postponed until a joint workshop with City Council could be arranged. This would provide City Council and P&Z with a better understanding of each other's process. It was also suggested that P&Z in the meantime focus on targeting old signs currently in the city.

Motion made by Commission member Guillaud to postpone sign ordinance topic, until a workshop could be arranged with City Council to review sign and/or other ordinances.

Seconded by Westmoreland.
Voting Yea: Kruetter, Seeliger

3. MPR Master Plan Update

Once master plan final draft is complete. P&Z will be notified. This would be a time to consider joint workshop with City Council

4. Items for Future Agendas

No future agenda suggestions made.

P & Z Commission Updates & Comments

There were no comments.

City Manager Updates & Comments

Property Setback lines will be discussed in July P& Z meeting.

5. Adjournment

Motion to adjourn meeting by Commission member Louis Guillaud.

Seconded by: Seeliger.
Voting Yea: Hobbs, Kruetter, Westmoreland

Meeting adjourned at 7:10PM.

Rebecca Cooley, Chairperson
City of Morgan's Point Resort, TX

ATTEST:

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

Section	Minimum Square Feet Excluding Porches, Garages, Carports, etc.	Front Setback	Side Setback	Rear Setback
LWR I	1,500	25	5	8
LWR II	800	15	5	8
1	1,200	20	5	8
2	Manufactured Housing	25	10	10
3	1,200	20	5	8
4	1,200	25	5	8
5	1,200	25	5	8
6	1,200	25	5	8
7	800	15	5	8
8A	800	15	5	8
8B	800	15	5	8
9	800	15	5	8
10	800	20	5	8
10A	800	20	5	8

Section	Minimum Square Feet Excluding Porches, Garages, Carports, etc.	Front Setback	Side Setback	Rear Setback
10B	Manufactured Housing	25	10	10
14	Camper, Trailer (Temporary)	None	None	None
15	Manufactured Housing	25	10	10
16	1,000	15	5	8
17	1,200	15	5	10
18	Manufactured Housing	25	10	10
19	1,000	15	5	8
20	1,000	15	5	10
21	800	25	5	8
22	1,000	15	5	8
23	Manufactured Housing	25	10	10
24	1,000	10	5	8

CHAPTER 5: GENERAL SITE AND BUILDING ELEMENTS

501 General

501.1 Scope. The provisions of Chapter 5 shall apply where required by Chapter 2 or where referenced by a requirement in this document.

502 Parking Spaces

502.1 General. Car and van parking spaces shall comply with 502. Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings.

EXCEPTION: Where parking spaces or access aisles are not adjacent to another parking space or access aisle, measurements shall be permitted to include the full width of the line defining the parking space or access aisle.

502.2 Vehicle Spaces. Car parking spaces shall be 96 inches (2440 mm) wide minimum and van parking spaces shall be 132 inches (3350 mm) wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3.

EXCEPTION: Van parking spaces shall be permitted to be 96 inches (2440 mm) wide minimum where the access aisle is 96 inches (2440 mm) wide minimum.

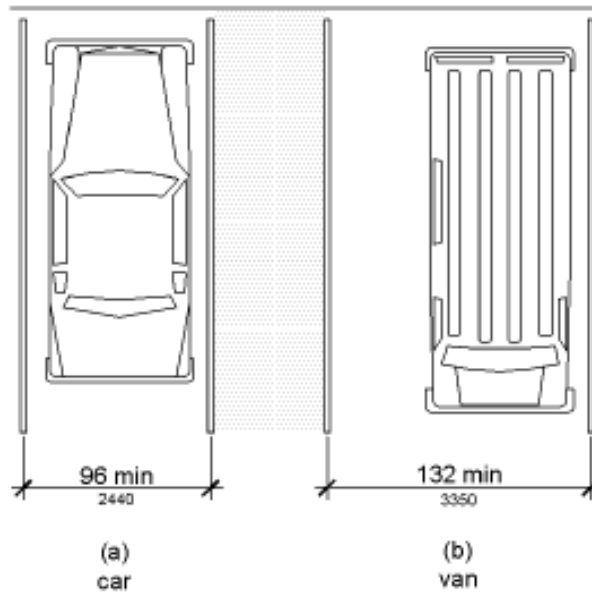


Figure 502.2 Vehicle Parking Spaces

502.3 Access Aisle. Access aisles serving parking spaces shall comply with 502.3. Access aisles shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle.

Advisory 502.3 Access Aisle. Accessible routes must connect parking spaces to accessible entrances. In parking facilities where the accessible route must cross vehicular traffic lanes, marked crossings enhance pedestrian safety, particularly for people using wheelchairs and other mobility aids. Where possible, it is preferable that the accessible route not pass behind parked vehicles.

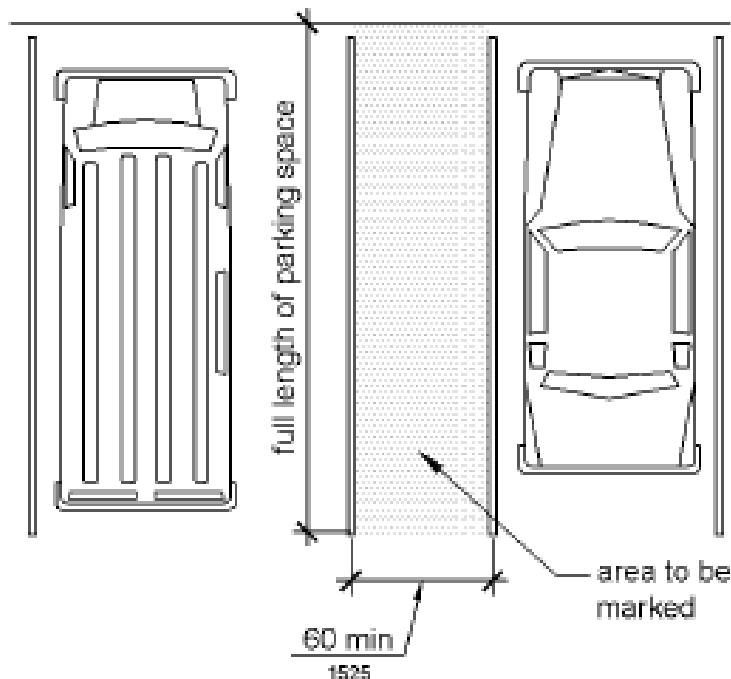


Figure 502.3 Parking Space Access Aisle

502.3.1 Width. Access aisles serving car and van parking spaces shall be 60 inches (1525 mm) wide minimum.

502.3.2 Length. Access aisles shall extend the full length of the parking spaces they serve.

502.3.3 Marking. Access aisles shall be marked so as to discourage parking in them.

Advisory 502.3.3 Marking. The method and color of marking are not specified by these requirements but may be addressed by State or local laws or regulations. Because these requirements permit the van access aisle to be as wide as a parking space, it is important that the aisle be clearly marked.

502.3.4 Location. Access aisles shall not overlap the vehicular way. Access aisles shall be permitted to be placed on either side of the parking space except for angled van parking spaces which shall have access aisles located on the passenger side of the parking spaces.

Advisory 502.3.4 Location. Wheelchair lifts typically are installed on the passenger side of vans. Many drivers, especially those who operate vans, find it more difficult to back into parking spaces than to back out into comparatively unrestricted vehicular lanes. For this reason, where a van and car share an access aisle, consider locating the van space so that the access aisle is on the passenger side of the van space.

502.4 Floor or Ground Surfaces. Parking spaces and access aisles serving them shall comply with 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted.

EXCEPTION: Slopes not steeper than 1:48 shall be permitted.

Advisory 502.4 Floor or Ground Surfaces. Access aisles are required to be nearly level in all directions to provide a surface for wheelchair transfer to and from vehicles. The exception allows sufficient slope for drainage. Built-up curb ramps are not permitted to project into access aisles and parking spaces because they would create slopes greater than 1:48.

502.5 Vertical Clearance. Parking spaces for vans and access aisles and vehicular routes serving them shall provide a vertical clearance of 98 inches (2490 mm) minimum.

Advisory 502.5 Vertical Clearance. Signs provided at entrances to parking facilities informing drivers of clearances and the location of van accessible parking spaces can provide useful customer assistance.

502.6 Identification. Parking space identification signs shall include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain the designation "van accessible." Signs shall be 60 inches (1525 mm) minimum above the finish floor or ground surface measured to the bottom of the sign.

Advisory 502.6 Identification. The required "van accessible" designation is intended to be informative, not restrictive, in identifying those spaces that are better suited for van use. Enforcement of motor vehicle laws, including parking privileges, is a local matter.

502.7 Relationship to Accessible Routes. Parking spaces and access aisles shall be designed so that cars and vans, when parked, cannot obstruct the required clear width of adjacent accessible routes.

Advisory 502.7 Relationship to Accessible Routes. Wheel stops are an effective way to prevent vehicle overhangs from reducing the clear width of accessible routes.

503 Passenger Loading Zones

503.1 General. Passenger loading zones shall comply with 503.

503.2 Vehicle Pull-Up Space. Passenger loading zones shall provide a vehicular pull-up space 96 inches (2440 mm) wide minimum and 20 feet (6100 mm) long minimum.

503.3 Access Aisle. Passenger loading zones shall provide access aisles complying with 503 adjacent to the vehicle pull-up space. Access aisles shall adjoin an accessible route and shall not overlap the vehicular way.

503.3.1 Width. Access aisles serving vehicle pull-up spaces shall be 60 inches (1525 mm) wide minimum.

503.3.2 Length. Access aisles shall extend the full length of the vehicle pull-up spaces they serve.

503.3.3 Marking. Access aisles shall be marked so as to discourage parking in them.

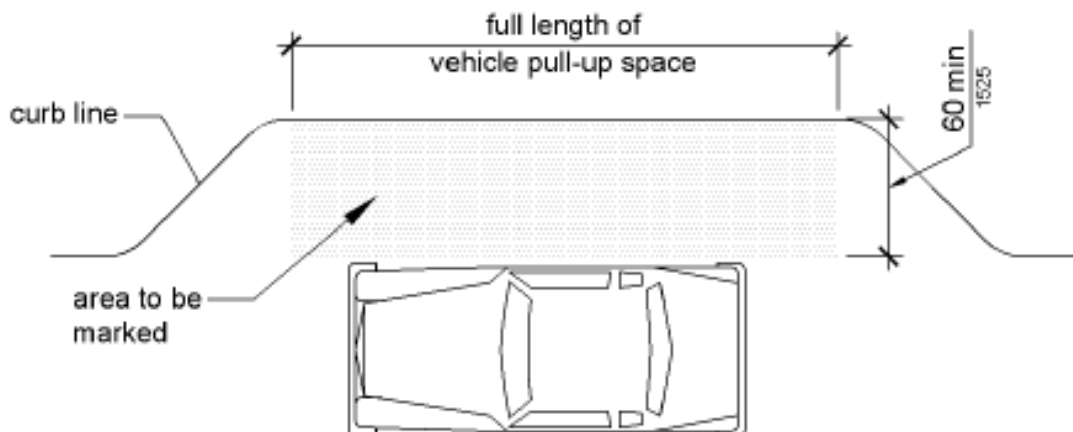


Figure 503.3 Passenger Loading Zone Access Aisle

503.4 Floor and Ground Surfaces. Vehicle pull-up spaces and access aisles serving them shall comply with 302. Access aisles shall be at the same level as the vehicle pull-up space they serve. Changes in level are not permitted.

EXCEPTION: Slopes not steeper than 1:48 shall be permitted.

503.5 Vertical Clearance. Vehicle pull-up spaces, access aisles serving them, and a vehicular route from an entrance to the passenger loading zone, and from the passenger loading zone to a vehicular exit shall provide a vertical clearance of 114 inches (2895 mm) minimum.

504 Stairways

504.1 General. Stairs shall comply with 504.

504.2 Treads and Risers. All steps on a flight of stairs shall have uniform riser heights and uniform tread depths. Risers shall be 4 inches (100 mm) high minimum and 7 inches (180 mm) high maximum. Treads shall be 11 inches (280 mm) deep minimum.

504.3 Open Risers. Open risers are not permitted.

504.4 Tread Surface. Stair treads shall comply with 302. Changes in level are not permitted.

EXCEPTION: Treads shall be permitted to have a slope not steeper than 1:48.

Advisory 504.4 Tread Surface. Consider providing visual contrast on tread nosings, or at the leading edges of treads without nosings, so that stair treads are more visible for people with low vision.

504.5 Nosings. The radius of curvature at the leading edge of the tread shall be 1/2 inch (13 mm) maximum. Nosings that project beyond risers shall have the underside of the leading edge curved or beveled. Risers shall be permitted to slope under the tread at an angle of 30 degrees maximum from vertical. The permitted projection of the nosing shall extend 1 1/2 inches (38 mm) maximum over the tread below.

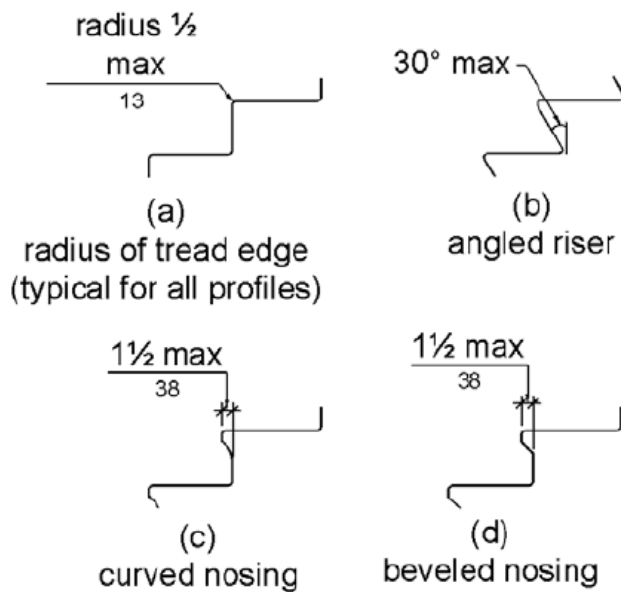


Figure 504.5 Stair Nosings

504.6 Handrails. Stairs shall have handrails complying with 505.

504.7 Wet Conditions. Stair treads and landings subject to wet conditions shall be designed to prevent the accumulation of water.

505 Handrails

505.1 General. Handrails provided along walking surfaces complying with 403, required at ramps complying with 405, and required at stairs complying with 504 shall comply with 505.

Advisory 505.1 General. Handrails are required on ramp runs with a rise greater than 6 inches (150 mm) (see 405.8) and on certain stairways (see 504). Handrails are not required on walking surfaces with running slopes less than 1:20. However, handrails are required to comply with 505 when they are provided on walking surfaces with running slopes less than 1:20 (see 403.6). Sections 505.2, 505.3, and 505.10 do not apply to handrails provided on walking surfaces with running slopes less than 1:20 as these sections only reference requirements for ramps and stairs.

505.2 Where Required. Handrails shall be provided on both sides of stairs and ramps.

EXCEPTION: In assembly areas, handrails shall not be required on both sides of aisle ramps where a handrail is provided at either side or within the aisle width.

505.3 Continuity. Handrails shall be continuous within the full length of each stair flight or ramp run. Inside handrails on switchback or dogleg stairs and ramps shall be continuous between flights or runs.

EXCEPTION: In assembly areas, handrails on ramps shall not be required to be continuous in aisles serving seating.

505.4 Height. Top of gripping surfaces of handrails shall be 34 inches (865 mm) minimum and 38 inches (965 mm) maximum vertically above walking surfaces, stair nosings, and ramp surfaces. Handrails shall be at a consistent height above walking surfaces, stair nosings, and ramp surfaces.

Advisory 505.4 Height. The requirements for stair and ramp handrails in this document are for adults. When children are the principal users in a building or facility (e.g., elementary schools), a second set of handrails at an appropriate height can assist them and aid in preventing accidents. A maximum height of 28 inches (710 mm) measured to the top of the gripping surface from the ramp surface or stair nosing is recommended for handrails designed for children. Sufficient vertical clearance between upper and lower handrails, 9 inches (230 mm) minimum, should be provided to help prevent entrapment.

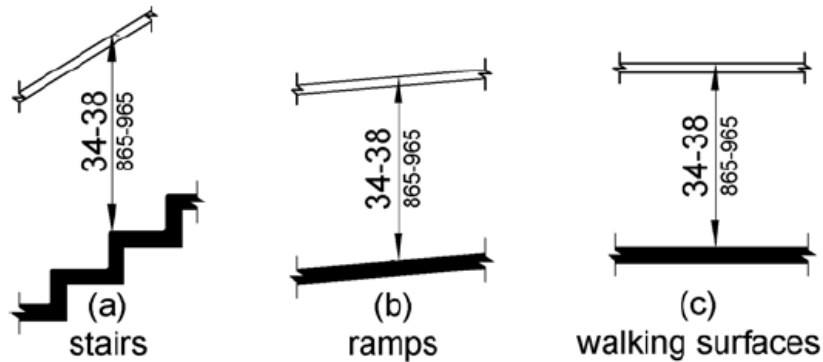


Figure 505.4 Handrail Height

505.5 Clearance. Clearance between handrail gripping surfaces and adjacent surfaces shall be 1 1/2 inches (38 mm) minimum.

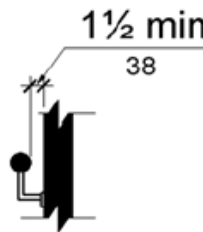


Figure 505.5 Handrail Clearance

505.6 Gripping Surface. Handrail gripping surfaces shall be continuous along their length and shall not be obstructed along their tops or sides. The bottoms of handrail gripping surfaces shall not be obstructed for more than 20 percent of their length. Where provided, horizontal projections shall occur 1 1/2 inches (38 mm) minimum below the bottom of the handrail gripping surface.

EXCEPTIONS:

1. Where handrails are provided along walking surfaces with slopes not steeper than 1:20, the bottoms of handrail gripping surfaces shall be permitted to be obstructed along their entire length where they are integral to crash rails or bumper guards.
2. The distance between horizontal projections and the bottom of the gripping surface shall be permitted to be reduced by 1/8 inch (3.2 mm) for each 1/2 inch (13 mm) of additional handrail perimeter dimension that exceeds 4 inches (100 mm).

Advisory 505.6 Gripping Surface. People with disabilities, older people, and others benefit from continuous gripping surfaces that permit users to reach the fingers outward or downward to grasp the handrail, particularly as the user senses a loss of equilibrium or begins to fall.

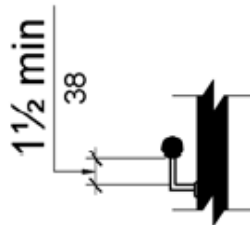


Figure 505.6 Horizontal Projections Below Gripping Surface

505.7 Cross Section. Handrail gripping surfaces shall have a cross section complying with 505.7.1 or 505.7.2.

505.7.1 Circular Cross Section. Handrail gripping surfaces with a circular cross section shall have an outside diameter of 1 1/4 inches (32 mm) minimum and 2 inches (51 mm) maximum.

505.7.2 Non-Circular Cross Sections. Handrail gripping surfaces with a non-circular cross section shall have a perimeter dimension of 4 inches (100 mm) minimum and 6 1/4 inches (160 mm) maximum, and a cross-section dimension of 2 1/4 inches (57 mm) maximum.

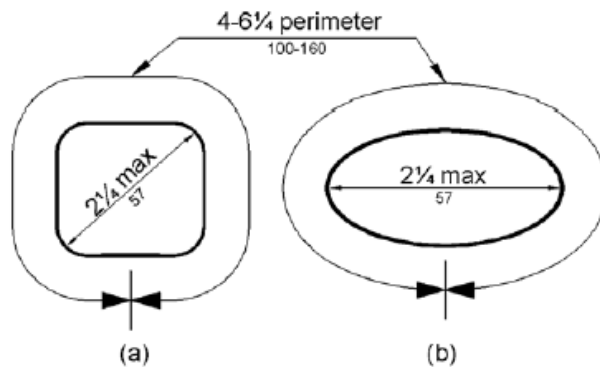


Figure 505.7.2 Handrail Non-Circular Cross Section

505.8 Surfaces. Handrail gripping surfaces and any surfaces adjacent to them shall be free of sharp or abrasive elements and shall have rounded edges.

505.9 Fittings. Handrails shall not rotate within their fittings.

505.10 Handrail Extensions. Handrail gripping surfaces shall extend beyond and in the same direction of stair flights and ramp runs in accordance with 505.10.

EXCEPTIONS:

- 1. Extensions shall not be required for continuous handrails at the inside turn of switchback or dogleg stairs and ramps.

- 2. In assembly areas, extensions shall not be required for ramp handrails in aisles serving seating where the handrails are discontinuous to provide access to seating and to permit crossovers within aisles.
- 3. In alterations, full extensions of handrails shall not be required where such extensions would be hazardous due to plan configuration.

505.10.1 Top and Bottom Extension at Ramps. Ramp handrails shall extend horizontally above the landing for 12 inches (305 mm) minimum beyond the top and bottom of ramp runs. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent ramp run.

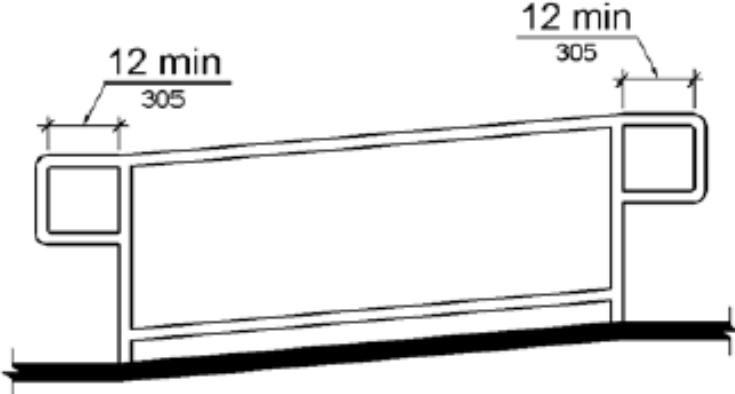


Figure 505.10.1 Top and Bottom Handrail Extension at Ramps

505.10.2 Top Extension at Stairs. At the top of a stair flight, handrails shall extend horizontally above the landing for 12 inches (305 mm) minimum beginning directly above the first riser nosing. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight.

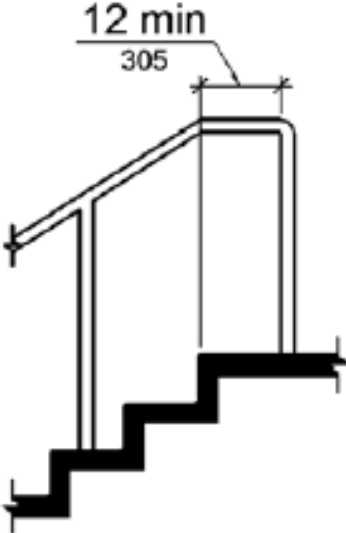
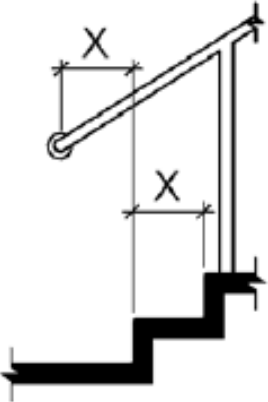


Figure 505.10.2 Top Handrail Extension at Stairs

505.10.3 Bottom Extension at Stairs. At the bottom of a stair flight, handrails shall extend at the slope of the stair flight for a horizontal distance at least equal to one tread depth beyond the last riser nosing. Extension shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight.



Note: X = tread depth

Figure 505.10.3 Bottom Handrail Extension at Stairs

ADA Parking Requirements

Effective March 15, 2012- [2012 Texas Accessibility Standards](#)

Sec. 101.2- This document does not address existing facilities unless altered at the discretion of a covered entity.

Ch. 2 identifies structures/uses that do not have to comply with this standard. Restaurants are not listed.

If there is not an exception for the property listed in Chapter 2 then Sec. 208 applies.

Sec. 208 lists the required amount of parking spaces.

Table 208.2 Parking Spaces

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000

[Development Standards](#)

TEXAS Code Examples

Schertz, TX: Handicap accessible parking. 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.

Temple, TX: Transportation Planner at Temple was unaware of any code for the City Zoning or other Ordinances that address parking standards for handicap requirements in the City. Nothing found in their codes.

Copperas Cove, TX: Sec. 20-21.5: Code indicates that there is a requirement for PUDs to indicate the number of handicap parking spaces for the development but does not define the number.

Killeen, TX: Sec. 31-443 & Sec. 31-452 Indicated the number of parking spaces required in the University District (UD) and Cemetery District (CD)

3 to 50 slots: 1

51 to 75 slots: 2

76 to 100 slots: 3

100 and above: 4

Backyard Hens

BACKYARD CHICKEN means a female chicken (hen) which is possessed or harbored to provide eggs and egg production for personal consumption by persons residing on the lot or tract where the Backyard Chicken is kept.

There is a trend in Texas legislator to “deregulate” provisions/ordinances at the local level and HOA covenants. Most legislation focuses on the allowance of chickens without restrictions in Agricultural land. The 2023 HB additionally addresses single family zoning/neighborhoods.

Proposed Amendment to Sec 251 of Texas Agricultural Code- From 2019 Texas

Legislator: Local city ordinances often restrict or even prohibit raising chickens within city limits. Some counties impose additional requirements. This makes it difficult for students to carry out poultry projects in 4-H or Future Farmers of America (FFA). These ordinances also prevent people of all ages from enjoying the benefits of backyard chickens.

S.B. 86 would allow any citizen of Texas to raise six or fewer chickens in their backyard, regardless of where they live. The bill would still allow cities and counties to place reasonable regulations on those chickens, as long as they don't prevent six or fewer poultry. The goal of S.B. 86 is to ensure that Texans' right to use and enjoy their property is protected.

HB 1191- From 2023 Texas House “Chicken Freedom Act”

Proposed Amendment to Sec 251 of Texas Agricultural Code-
CHICKENS ALLOWED.

- ❖ a political subdivision may not impose a governmental requirement that prohibits an individual from raising or keeping six or fewer chickens in the boundaries of the political subdivision.
- ❖ municipality may impose reasonable governmental requirements on the raising or keeping of poultry in the boundaries of the municipality that do not have the effect of prohibiting the raising or keeping of six or fewer chickens, including:
 - limit on the number of chickens an individual may raise or keep in excess of six;
 - prohibition on breeding poultry;
 - on raising or keeping roosters.

Proposed Amendment to PROPERTY CODE, TITLE 11. RESTRICTIVE COVENANTS, CHAPTER 202. CONSTRUCTION AND ENFORCEMENT OF RESTRICTIVE COVENANTS

SIX CHICKENS ALLOWED ON SINGLE-FAMILY RESIDENTIAL LOT

- ❖ Section 202.002
 - a property owners' association may not adopt or enforce a restrictive covenant that prohibits the raising or keeping of six or fewer chickens on a single-family residential lot.
 - property owners' association may adopt and enforce a restrictive covenant imposing reasonable requirements on the raising or keeping of poultry on a single-family residential lot that do not have the effect of prohibiting the raising or keeping of six or fewer chickens, including:
 - limit on the number of chickens that may be raised or kept in excess of six;
 - prohibition on breeding poultry;
 - prohibition on raising or keeping roosters; or
 - the minimum distance between a chicken coop and another lot.

Texas A&M University- Education Material

[Backyard Hen Handout](#)
[Maintaining Healthy Chickens](#)

Local Ordinances:

Harker Heights

- ❖ Shall not be kept (coop and "exercise area") within 200 feet of neighboring property
- ❖ City Manager can waiver to 75 feet
- ❖ Waiver can be revoked with 90 day notice to owner
- ❖ One Family Dwelling Zoning (R1) limited to 3-6 chickens
- ❖ Must have a coop and must be permitted by the City prior to construction/placement/use
- ❖ No roosters
- ❖ Adequate food, water, and medical treatment
- ❖ Area must be kept clean
- ❖ Supervised roaming outside coop and exercise area.

Belton

- ❖ Must be in a enclosure located 200 feet from neighboring property
- ❖ City Manager can examine for waiver down to 25 feet
- ❖ No roosters
- ❖ Enclosure must be kept clean
- ❖ Does not regulate how many or which zoning district(s)

Morgan's Point Resort Highlights of Code:

- ❖ Sec 2.03.001: fowl may be raised, bred, or kept in pens or enclosures provided there is a minimum of two contiguous acres at the residence, but limitations are listed below for the total number of animals and/or fowl per residence. **This Section only applies to Lakewood Ranches 1 and 2 and Stonehenge.**
 - Fowl: four per three-fourths acre
- ❖ Sec 2.03.002: Structures for fowl must be approved by the Building Control Board before being utilized. No fowl shall be raised, bred, or kept for commercial purposes within the City limits.
- ❖ Sec. 2.03.003: Fowl or small animals. keep in a pen, coop, or enclosure and it shall be unlawful to allow said animals to be at large. Such pen, coop, or enclosure must be a distance of 150 feet from any building or structure. If the 150 feet requirement cannot be met for any reason, the owner of the animals must remove the animals from the property.