

**Planning and Zoning Commission  
Special Meeting Minutes  
March 20, 2018**

**1. Call to Order**

Chairman Brett Hall called the meeting to order at 7:00 p.m. with the following present:

**Members Present**

Brett Hall  
Chad Woodard  
Louis Celone  
Todd Batiste, Alternate  
Tim Butler, Alternate  
Johanna Storm (present but not voting)

**Staff and Council Present:**

Kimberly Fitzpatrick, Mayor  
Sherry Roberts, City Administrator  
Lola Hazel, City Secretary

**2. Citizen comments on proposed ordinance.**

- Kenneth Kiser, 2815 Broadacres Lane: spoke to proposed special exceptions which affect Zoning Board of Adjustments.
- Tracy Dodson, 2705 Whisper Wood Trails: spoke against restrictions to completely ban any certain type of accessory building.
- Sandy Riney, 2702 Whisper Wood Trails: spoke to allowance to turn a storage building into a habitable structure.
- Cathy Stein, 2622 Clover Lane: spoke to long term affects of ordinance changes and allowing structures which do not coincide with the City's long term plan.

**3. Discuss and consider approval of an Ordinance making changes to Chapter 14, Zoning, regarding the use of a manufactured home as an accessory building.**

Background information is as follows: The city's current zoning ordinance for the single-family residential district states the following in regards to mobile homes and accessory buildings. Even though this district does not allow mobile homes, it does allow accessory buildings and the restriction for accessory buildings in need of revision.

Sec. 14.02.172 "SF" residential district

A building or premises in this district shall be used only for the following purposes:

- (1) One-family detached dwellings, other than mobile homes.
- (2) Parks, playgrounds, community centers, fire stations or other public safety buildings operated by or under the control of the city or other governmental authority.
- (3) Electric transmission towers and lines, gas transmission lines and metering stations, other local utility distribution lines, sewage pump stations, and water reservoirs, pump stations, wells and transmission lines.
- (4) Churches and rectories; and, public or parochial schools (without student housing).

- (5) Accessory buildings, as elsewhere herein regulated.
- (6) Customarily incidental uses.

**Proposed changes to the ordinance include the following:**

- 1. Definitions for HUD-code manufactured home and Mobile home;
- 2. Prohibit use of HUD-code manufactured home and mobile home as accessory building;
- 3. Changes to 14.02.124 regarding buildings used as guests' or servants' quarters only being permitted upon the grant of a special exception; and
- 4. Changes to 14.02.321, Special Exceptions, adding (23) and (24) regarding HUD-code manufactured homes and Accessory Buildings used as guest or servant quarters with conditions.

The Texas Occupations Code, Sec. 1201.008, requires cities to allow HUD-code manufactured homes for use as a dwelling in “any area determined appropriate by the municipality”. This is the reason for creating a definition for HUD-code manufactured homes and including it in changes. The city may restrict “mobile homes” but shall not have a regulation that bans “HUD-code manufactured homes”. HUD-code manufactured homes has been added under Special Exceptions.

The Commission discussed the proposed changes to the ordinance. Discussion was had on the ordinance changes as a whole and on whether or not to restrict Section 14.02.124, Principal and Accessory Buildings and Uses, (b), regarding accessory buildings being used for dwelling purposes.

A motion was made by Commissioner Louis Celone and seconded by Commissioner Tim Butler to accept the changes to Chapter 14, Zoning, regarding accessory buildings being used for dwelling purposes; and an additional change to Section 14.02.124 (b) to read as follows: “No accessory building shall be used for dwelling purposes”.

Changes include:

- 1. Definitions for HUD-code manufactured home and mobile home;
- 2. Repeal of language in 14.02.124 (a) regarding guests and servants quarters;
- 3. Prohibit accessory buildings to be used for dwelling purposes;
- 4. Prohibit use of HUD-code manufactured home and mobile home as accessory building;
- 5. Addition of Special Exception for HUD-code manufactured homes used as primary dwellings

Motion carried by the following vote:

Ayes: Commissioners Hall, Woodard, Celone, and Butler

Nays: None

Abstentions: Commissioner Batiste

**4. Adjourn**

A motion was made by Commissioner Todd Batiste and seconded by Commissioner Chad Woodard to adjourn the meeting at 8:25 p.m.

Motion carried by the following vote:

Ayes: Commissioners Hall, Woodard, Batiste, Celone, and Butler

Nays: None