



**Planning and Zoning Commission
Packet
for
June 11, 2018**



AGENDA

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ARANSAS PASS
CITY HALL
600 W. CLEVELAND BLVD., ARANSAS PASS, TEXAS,
JUNE 11, 2018 • 5:15 P.M.**

COMMISSIONERS:

Randall Freeze, Chairperson
Richard (Sandy) Kubek, Vice Chairperson
Lisa Barker
Elizabeth Dorris
Pat Fenton
Carol Salinas
Kathleen Sweatt
Cynthia Vasquez

STAFF:

Katherine Comeaux, CFM/City Planner

I. CALL TO ORDER

II. PUBLIC HEARING

- A. An amendment to the City of Aransas Pass Zoning Ordinance, Part I, Section 4-111 and Part III, Section 11-MH, "MH" Manufactured Home District; providing subdivision regulations for single-family lots.
- B. An amendment to the City of Aransas Pass, Part IV, Section 14-Creation of a Building Site, amending requirements for platting prior to development.

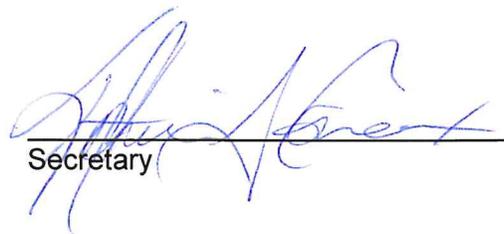
III. DIRECTOR'S REPORT

- A. Planning & Zoning Reports
- B. Overview of Public Workshop for Comprehensive Plan
- C. Next Public Workshop for Comprehensive Plan schedule on June 20, 2018 at the Civic Center from 6:00 – 8:00 PM.

IV. ITEMS TO BE SCHEDULED ON NEXT AGENDA

- A. Public Hearing on a proposed replat of a portion of Tract 1, Block 204, Burton & Danforth Subdivision into Lots 1-11, Block 204, Nelson Park Subdivision in Aransas Pass, San Patricio County.
- B. Public Hearing on the request of James Andrew for a Conditional Use Permit to operate a cabinet and woodwork shop at 333 South Commercial Street in a CA Zoning District.

V. ADJOURNMENT OF MEETING

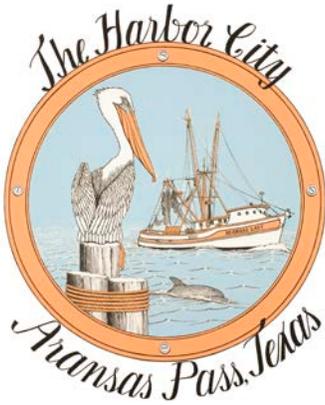

Secretary

June 8, 2018
Date

POSTING STATEMENT:

This notice was posted on the official bulletin board outside of Aransas Pass City Hall, 600 W. Cleveland Boulevard, Aransas Pass, Texas at 4:30 a.m./p.m., June 8, 2018.

Persons with disabilities planning to attend this meeting who may need auxiliary services are asked to contact the City Secretary's Office at (361) 758-5301 24 hours before the meeting.



CITY OF ARANSAS PASS

AGENDA MEMORANDUM
for the Planning & Zoning Commission Meeting of June 11, 2018

DATE: June 11, 2018
TO: Planning and Zoning Commission
FROM: Development Services Staff

Agenda Item (Discussion)

- B. Providing for Single Family Lot regulations in the MH Districts.
-

PURPOSE:

To allow development of single-family lots in the Manufactured Home districts.

BACKGROUND AND FINDINGS:

The current section in the Zoning Ordinance on the MH District (Section 11-MH) currently only allows for the development of:

- A. A Manufactured Home Park is a unified development of Manufactured Home sites, plats or transient stands arranged on a large tract under single ownership.
- B. A Manufactured Home Subdivision shown on a subdivision plat approved by the City Planning and Zoning Commission and filed for record designed specifically for MH development. This type of development allows for the separate ownership of each lot.

- C. A Recreational Vehicle Park – See Chapter 5, Article X, Sections 5-140 through 5-180 of the City’s Code of Ordinances. This type of development is arranged on a large tract under single ownership.
- D. A Recreational Vehicle Subdivision – same as “B” above.

In 2016, the City of Aransas Pass annexed and zoned the area known as “Sherwood Forrest” as an MH district. (See attached map). This area shows a need for regulations for the development of single-family lots. Property owners have requested to have their lots subdivided for single-family use. Without a text amendment to the Aransas Pass Zoning Ordinance, the regulations provided for the MH Zoning District only allow for property to be subdivided into a commercial park for recreational vehicles or into a planned subdivision either manufactured homes or recreational vehicles.

The proposed amendments would provide for 1) allowing the use of single-family lots in the MH District, 2) provide regulations for single-family lots in the MH District, and 3) prohibit the use of RV’s as dwellings on lots platted for single-family use in the MH District.

Based on the recommendations of the Planning and Zoning Commission, the regulations for single-family lots in the MH District would follow the regulations provided for the R7B District for lot area requirements, including the following sections:

- 201 Minimum Lot Area 7,000 square feet except that a lot having less area which was an official “lot of record” prior to the adoption of this ordinance may be used for a one-family dwelling and no lot existing at the time of passage of this ordinance shall be reduced in area below the minimum requirement.
- 202 Minimum Lot Depth: 100 Feet
- 203 Minimum Lot Width: 50 Feet
- 204 Minimum Front Yard: 25 Feet
- 205 Minimum Side Yard: 10% of the width of the lot but not less than 6 feet. No side yard in excess of 10 feet shall be required.
- 206 Minimum Rear Yard: 25 Feet
- 207 Maximum Lot Coverage: 35% of lot area

STAFF RECOMMENDATIONS:

Staff recommends approved the proposed amendments.

PUBLIC NOTICE:

As per the Texas Local Government Code, Chapter 211, Section 211.006, notice was published in the Aransas Pass Progress on May 30, 2018. The Aransas Pass Mayor and City Council will hold the final vote on June 18, 2018.

ATTACHMENTS:

Staff recommend amendment

ORDINANCE _____

ORDINANCE AMENDING ORDINANCE NO. 1308, ZONING ORDINANCE, BY AMENDING PART I, SECTION 4-111 AND PART III, SECTION 11-MH, "MH" MANUFACTURED HOME DISTRICT; PROVIDING REGULATIONS FOR SINGLE-FAMILY LOTS; PROVIDING FOR A REPEALER CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has forwarded to the City Council its final report and recommendation regarding the amendment to the City of Aransas Pass Zoning Ordinance;

WHEREAS, with proper notice to the public, public hearings were held on Monday, May 14, 2018, during a meeting of the Planning and Zoning Commission, and on Monday, May 21, 2018, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that this amendment would best serve the public health, necessity, convenience and general welfare of the City of Aransas Pass and its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:

SECTION 1. The official Zoning Ordinance is amended to state the following.

...

-202 TYPES OF PRE-FABRICATED HOME DEVELOPMENT

Four types of Pre-Fabricated Home Development are provided for by this ordinance as follows:

- A. A Manufactured Home Park is a unified development of Manufactured Home sites, plats or transient stands arranged on a large tract under single ownership.
- B. A Manufactured Home Subdivision shown on a subdivision plat approved by the City Planning and Zoning Commission and filed for record designed specifically for MH development. This type of development allows for the separate ownership of each lot.
- C. A Recreational Vehicle Park – See Chapter 5, Article X, Sections 5-140 through 5-180 of the City's Code of Ordinances. This type of development is arranged on a large tract under single ownership.

D. A Recreational Vehicle Subdivision – same as “B” above.

E. Single Family Lot – A lot in the MH District intended for single family use, shown on a subdivision plat approved by the City Planning and Zoning Commission and City Council.

-300 APPLICATION

...

-304 Single Family Lots shall conform to the requirements specified in Section 11-R7B, subsections 201, 202, 203, 204, 205, 206, and 207 respectively.

...

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be effective upon approval and passage.

Passed and Approved on the ____ day of _____, 2018.

CITY OF ARANSAS PASS,
TEXAS

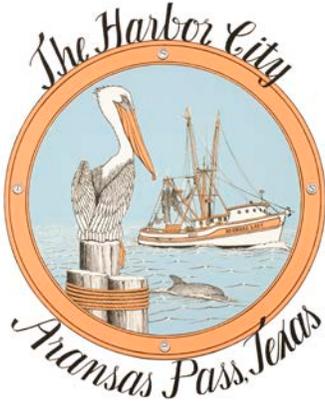
Ramiro Gomez, Mayor

ATTEST:

Mary Juarez
City Secretary

APPROVED AS TO LEGAL FORM:

Roxann Pais Controneo
City Attorney



CITY OF ARANSAS PASS

AGENDA MEMORANDUM

for the Planning and Zoning Commission Meeting of June 11, 2018

DATE: June 11, 2018
TO: Planning and Zoning Commission
FROM: Development Services Staff

Agenda Item (Public Hearing)

C. An amendment to the City of Aransas Pass, Part IV, Section 14-Creation of a Building Site.

PURPOSE:

To amend and clarify requirements for replatting prior to development.

BACKGROUND AND FINDINGS:

Municipal land subdivision policies may be set by the City provided the policies follow the regulations set in the Texas Local Government Code. The City of Aransas Pass's current policy as laid out in the Zoning Ordinance requires adherence to setbacks from the property lines, and in practice this often necessitates a replat of the property to combine parcels or lots in order to avoid building over a property line.

Because this policy was not strictly enforced in years past, a large portion of developed property does not meet these requirements, particularly in residential areas. The result has been additional development costs and additional time taken before a permit can be issued. The inconsistency with which this practice was enforced throughout the years has also created unnecessary confusion for residents and developers of Aransas Pass.

The proposed amendment would allow for residential development over multiple lots provided that the lots are combined for taxing purposes. This means that all lots are identified by the same tax appraisal identification number and are taxed as a single property. In this case, the plans submitted for review would be accepted as commitment

to build within the setbacks of the combined lots as though within a single lot. For commercial development, the full replat process would be required to combine multiple lots and eliminate interior lot lines.

STAFF RECOMMENDATIONS:

Staff recommends approval

PUBLIC NOTICE:

As per the Texas Local Government Code, Chapter 211, Section 211.006, notice was published in the Aransas Pass Progress on May 30, 2018. The Aransas Pass Mayor and City Council will hold the final vote on June 18, 2018.

ATTACHMENTS:

Proposed amendment to the City of Aransas Pass Zoning Ordinance.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF ARANSAS PASS ZONING ORDINANCES, PART IV, SECTION 14 – CREATION OF A BUILDING SITE; AMENDING PLATTING REQUIREMENTS FOR DEVELOPMENT; PROVIDING A REPEALER CLAUSE; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has forwarded to the City Council its final report and recommendation regarding the amendment to the City of Aransas Pass Zoning Ordinance;

WHEREAS, with proper notice to the public, public hearings were held on Monday, May 14, 2018, during a meeting of the Planning and Zoning Commission, and on Monday, May 21, 2018, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that this amendment would best serve the public health, necessity, convenience and general welfare of the City of Aransas Pass and its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:

SECTION 1. The City of Aransas Pass Zoning Ordinance, Part IV, Section 14 – Creation of a Building Site is amended to read as follows:

...

- 101 No permit for the construction of a building or buildings upon any tract or plot shall be issued until a building site, building tract or building lot has been created by compliance with one of the following conditions:
- a. The lot or tract is part of a plat of record, properly approved by the City Plan Commission, and filed in the Plat Records of the county in which the lot or tracts is located and having access to a dedicated public street having well defined and undisputed right-of-way lines.
 - b. The site, plot or tract is all or part of a site plan officially approved by the City Planning and Zoning Commission, which site plans shows all existing utility and drainage easements, alley, streets and other public improvements necessary to meet the normal requirements for platting and such easements, alleys, streets and building lines, as are required and have been properly dedicated, and the necessary public improvements which have been provided. In the case in which a developer wishes to

build a single structure across multiple lots, the following conditions must be met;

- i. For residential use, the separate lots must be combined on the appraisal district level and taxed as a single property. The site plan submitted for permitting must treat the multiple lots as one and show the building lines in relation to the exterior property lines as required by zoning regulations. This site plan shall be accepted as a commitment by the owner and developer to maintain the aforementioned setbacks.
 - ii. For commercial or industrial use, the separate lots must be replatted into one lot.
- c. The plot, tract, or lot faces upon a dedicated street with well-defined and undisputed right-of-way lines and was separately owned prior to ~~(date of adoption)~~, August 24, 1968 or prior to annexation to the City of Aransas Pass, whichever is applicable in which event a building permit for only one main building may be issued on each such original separately owned parcel without first complying with either 13-101 a or b preceding.
- d. The tract is not separately platted but is part of a block or tract previously platted as an industrial or commercial subdivision wherein only streets, easements and blocks are delineated and such plat has been approved by the City Planning and Zoning Commission and filed for record in which case no specific lot delineation shall be required.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be effective upon approval and passage.

Passed and approved this 18th day of June, 2018.

By: Ramiro Gomez, Mayor

ATTEST:

Mary Juarez, City Secretary

APPROVED AS TO LEGAL FORM:

Roxann Pais Controneo
City Attorney