



City of Sachse, Texas

3815 Sachse Road,
Building B
Sachse, TX 75048

Meeting Agenda

Planning & Zoning Commission

Monday, June 25, 2018

6:30 PM

Council Chambers Conference Room / Council
Chambers

To address the Commission for any public hearing item, please sign a speaker's sheet located on the tables by the front entry and submit to the acting Secretary. You will have three (3) minutes to address the Commission. In accordance to the Open Meetings Act, the Commission may not discuss or take any action on any item which has not been posted on the agenda.

6:30 PM WORK SESSION

1. Discussion of agenda items for the June 25, 2018 Planning and Zoning Commission meeting. Please be advised the work session is for discussion purposes only by the Planning and Zoning Commission.
2. Discussion of future agenda items, update on Council actions, training topics, and requests for new business consideration.

7:00 PM REGULAR MEETING

1. Invocation and Pledge of Allegiance to the U.S. and Texas Flags.
2. [18-4308](#) Consider approval of the minutes of the April 9, 2018 Planning and Zoning Commission meeting.
Attachments: [04.09.18 Minutes](#)
3. [18-4307](#) Conduct a public hearing and make a recommendation regarding an ordinance amending the Code of Ordinances by amending Chapter 11 titled "Zoning Ordinance" by amending Exhibit 1 by amending Article 3 titled "[Districts]" by amending Section 8 titled "AG-Agricultural District" by amending 8.3 titled "Building Regulations" to provide for minimum lot area requirement; by amending Section 11 titled "SP-Special Use Permits" by amending 11.4 titled "Temporary Special Use Permits" to provide regulations for portable buildings; by amending Article 4 titled "General Provisions" applying to all or several districts; by amending Section 12 titled "Accessory Structures" to provide regulations for accessory structures.
Attachments: [Staff Presentation](#)
[Proposed Ordinance](#)
4. Discussion of future agenda items, update on Council actions, training topics, and requests for new business consideration.
5. Adjournment.

I certify the above agenda was posted on the bulletin board at Sachse City Hall on Friday, June 22, 2018 by 5:00 p.m.

Michelle Lewis Sirianni, City Secretary

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 972.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, TX 75048.



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4308	Version:	1	Name:	April 9, 2018 P&Z Minutes
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	6/18/2018	In control:		In control:	Planning & Zoning Commission
On agenda:	6/25/2018	Final action:		Final action:	
Title:	Consider approval of the minutes of the April 9, 2018 Planning and Zoning Commission meeting.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	04.09.18 Minutes				

Date	Ver.	Action By	Action	Result
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Title

Consider approval of the minutes of the April 9, 2018 Planning and Zoning Commission meeting.

Background

Consider approval of the Planning and Zoning Commission minutes for the April 9, 2018 meeting.

Policy Considerations

There are no policy considerations affiliated with this item.

Budgetary Considerations

There are no budgetary considerations affiliated with this item.

Staff Recommendations

Approve the minutes of the Planning and Zoning Commission April 9, 2018 meeting.



**City of Sachse, Texas
Planning & Zoning Commission
Minutes of the Regular Meeting
Monday, April 9, 2018**

Members Present:

David Hock – Vice Chair
Scott Ohman
Chance Lindsey
Fernando Gutierrez
Jeanie Marten
Travis Mondok
Wendy Stewart

Members Absent:

Staff Present:

Dusty McAfee, AICP – Development Services Director
Charlotte Youngblood - Development Services Coordinator

Others Present:

Paul Watkins – City Council Liaison

6:30 PM Work Session

Staff provided the commission with a community update.

7:00 PM Regular Meeting

Vice Chairman Hock opened the meeting of the Planning & Zoning Commission at 7:00 p.m. and declared a quorum.

1. Invocation and Pledge of the Allegiance to the U.S. and Texas Flags.

Commissioner Stewart offered the invocation, and Commissioner Lindsey led the pledges.

2. Consider the election of Chair and Vice-Chair.

Ohman motioned to elect Hock to Chairman, and with a second by Martin, the motion passed unanimously. Gutierrez motioned to elect Stewart to Vice-Chair, and with a second by Lindsey, the motion passed unanimously.

3. Consider approval of the minutes of the November 27, 2017 Planning & Zoning Commission meeting.

With a motion by Marten, and a second by Ohman, the Planning & Zoning Commission adopted the November 27, 2017 minutes unanimously.

4. Discuss and consider a final plat for the Serene subdivision.

Staff presented the case as outlined in the staff report. With a motion by Stewart, and a second by Ohman, the recommendation to approve the final plat, subject to all conditions stipulated by the Building Official and City Engineer, passed unanimously.

Adjourn: With a motion by Martin, the meeting was adjourned at 7:18 p.m.

Chairperson

Secretary



City of Sachse, Texas

Legislation Details (With Text)

File #:	18-4307	Version:	1	Name:	Accessory Structures
Type:	Agenda Item	Status:		Status:	Agenda Ready
File created:	6/18/2018	In control:		In control:	Planning & Zoning Commission
On agenda:	6/25/2018	Final action:		Final action:	
Title:	Conduct a public hearing and make a recommendation regarding an ordinance amending the Code of Ordinances by amending Chapter 11 titled "Zoning Ordinance" by amending Exhibit 1 by amending Article 3 titled "[Districts]" by amending Section 8 titled "AG-Agricultural District" by amending 8.3 titles "Building Regulations" to provide for minimum lot area requirement; by amending Section 11 titled "SP-Special Use Permits" by amending 11.4 titled "Temporary Special Use Permits" to provide regulations for portable buildings; by amending Article 4 titled "General Provisions" applying to all or several districts; by amending Section 12 titled "Accessory Structures" to provide regulations for accessory structures.				

Sponsors:

Indexes:

Code sections:

Attachments: [Staff Presentation](#)
[Proposed Ordinance](#)

Date	Ver.	Action By	Action	Result
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Title

Accessory Structures

Background

- Historically, accessory building regulations were contained in each separate zoning district.
- Then, universal regulations evolved that govern accessory structures as a stand-alone section of the zoning ordinance.
- While implementing universal regulations, or when making minor tweaks to the ordinance over the years, "ripple effects" or irregularities within the zoning ordinance were created that require correction.
- This maintenance of existing ordinances is considered routine in order to maintain a healthy and functioning regulatory framework.

Policy Considerations

- Is the flexibility on metal materials for larger properties desired? Is one acre the right size to trigger the flexibility?
- In response to Wylie ISD's request for 5 years, is there a desire to extend the administrative time period to five years with a maximum of 2 to 4 (or another number?) portable buildings (prior to needing the City Council's review)?

- Is there any support for allowing properties 1/2 acre in size and greater the ability to construct one accessory dwelling unit (ADU), as has been requested by many property owners of estate residential lots?

Budgetary Considerations

There are no budgetary considerations associated with this item.

Staff Recommendations

- Conduct a public hearing and make a recommendation for City Council.
- Critical Path:
 - 5-21-18: City Council Workshop
 - 6-25-18: Planning & Zoning Commission
 - 7-16-18: City Council Public Hearing

Accessory Structures

PLANNING & ZONING COMMISSION

JUNE 25, 2018



Background

Conduct a public hearing to consider, discuss, and act on proposed revisions to Chapter 11 (Zoning), Article IV, Section 12 (Accessory Structures) of the Code of Ordinances.

The City Council discussed this item at its May 21st work session and directed staff to prepare an ordinance to review. Accessory Structure regulations are part of Chapter 11 (Zoning); thus, revisions require the review of the Planning & Zoning Commission.

Overview

- Historically, accessory building regulations were contained in each separate zoning district
- Then universal regulations evolved that govern accessory structures as a stand-alone section of the zoning ordinance
- While implementing universal regulations, or when making minor tweaks to the ordinance over the years, “ripple effects” or irregularities within the zoning ordinance were created that require correction
- This maintenance of existing ordinances is considered routine in order to maintain a healthy and functioning regulatory framework

Substantive Changes: Architecture

- Current ordinance reads that accessory structures less than 120 sf are exempt from exterior material requirements; 120-400 sf must be weather resistant and cannot be metal; 400 sf and larger must match the primary structure
- The Agricultural zoning district requires 75% masonry for all structures (proposed for deletion within AG zoning district)
- Proposed ordinance allows properties one (1) acre in size or larger to utilize metal as an exterior material for accessory structures
- Council recommended for the visible façade to be masonry and to include specifications for the metal siding

Substantive Changes: Portables

- Many area cities allow schools and/or churches to install portables (up to a certain number) by right for an established amount of time
- Current ordinance allows portables (for churches & schools only) for up to 2 years administratively; WISD has requested 5 years at Cox
- Proposed ordinance allows up to 4 portables for 5 years with standard conditions (buried utility lines; rear location; maintenance clause, skirting, pedestrian paths & ramps, etc.)

Substantive Changes: ADUs

- Accessory Dwelling Units (ADUs), sometimes referenced as granny flats, garage apartments, back houses, or mother-in-law suites, are currently only allowed in Old Town
- ADUs for “bona fide servant housing” is also allowed, but not for external or general rental (language proposed for deletion)
- Many property owners have requested ADUs in the SEQ
- Benefits: allows property owner to become an entrepreneur; one unit is rarely noticed; provides needed housing; multi-generational families
- Proposed ordinance allows properties $\frac{1}{2}$ acre in size and greater the ability to construct one ADU; cannot meaningfully regulate renter types

Next Steps

- Discussion & Recommendation

Critical Path:

5-21-18: City Council Workshop

6-25-18: Planning & Zoning Commission

7-16-18: City Council Public Hearing

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 11 TITLED "ZONING ORDINANCE" BY AMENDING EXHIBIT 1 BY AMENDING ARTICLE 3 TITLED "[DISTRICTS]" BY AMENDING SECTION 8 TITLED "AG-AGRICULTURAL DISTRICT" BY AMENDING 8.3 TITLED "BUILDING REGULATIONS" TO PROVIDE FOR MINIMUM LOT AREA REQUIREMENT; BY AMENDING SECTION 11 TITLED "SP – SPECIAL USE PERMITS" BY AMENDING 11.4 TITLED "TEMPORARY SPECIAL USE PERMITS" TO PROVIDE REGULATIONS FOR PORTABLE BUILDINGS; BY AMENDING ARTICLE 4 TITLED "GENERAL PROVISIONS APPLYING TO ALL OR SEVERAL DISTRICTS" BY AMENDING SECTION 12 TITLED "ACCESSORY STRUCTURES" TO PROVIDE REGULATIONS FOR ACCESSORY STRUCTURES; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS:

SECTION 1. That the City of Sachse Code of Ordinances is amended by amending Chapter 11 titled "Zoning Ordinance" by amending Exhibit 1 by amending Article 3 titled "[Districts]" by amending Section 8 titled "AG-agricultural district" by amending 8.3 titled "*Building regulations*" and by amending Section 11 titled "*SP – special use permits*" by amending 11.4 titled "*Temporary special use permits*", to read as follows:

"Chapter 11

ZONING ORDINANCE

...

EXHIBIT I

...

ARTICLE 3. [DISTRICTS]

...

Sec. 8. – AG – agricultural district.

...

8.3 *Building regulations.*

- (a) *Height regulations.* No structure shall exceed 35 feet in height, except as provided in article 4, section 3.
- (b) *Lot area.* Width and yard requirements: The following minimum requirements shall apply:

Use	Area	Width	Front	Side yard	Rear
Single-family dwellings	1 acre	150 ft.	50 ft.	15 ft.	50 ft.

- (c) The exterior materials of single family homes shall be governed by the Architectural Design Standards (Chapter 11, Article 4, Section 7), and agriculture related structures and accessory structures shall abide by the Accessory Structure standards (Chapter 11, Section 12.1).

...

Sec. 11. -- SP – special use permits.

...

11.4 *Temporary special use permits.* A temporary special use permit may be granted by the city manager or designated representative for uses below or for a reasonably similar use. Hearings and approval by the planning and zoning commission is not required.

- (a) *Use regulations.* Persons intended to operate a temporary use are required to apply for a temporary use permit. Temporary uses include, but are not limited to:
 - (1) Produce stands.
 - (2) Christmas tree lots.
 - (3) Asphalt batching plant.
 - (4) Cement batching plant.
 - (5) Construction office.
 - (6) Real estate office.

- (7) Portable buildings. A maximum of four (4) portable buildings may be temporarily installed, up to a maximum of five (5) years, on sites owned and used by public schools and assembly uses, per the following conditions:
- a. The portable building shall obtain a building permit, complete all necessary inspections, and abide by all applicable codes and regulations.
 - b. A primary structure with a current Certificate of Occupancy and no code violations must be in existence prior to applying for a portable building permit.
 - c. The siting of the portable building shall be selected to minimize visibility from the public right-of-way and be generally located in the rear or least conspicuous location on the subject property that is practical.
 - d. Skirting for the building is required.
 - e. All associated service and utility lines shall be buried.
 - f. Concrete pedestrian access shall be provided, in addition to any required ramps.
 - g. A stabilizing foundation in compliance with the building code must be provided.
 - h. All portable buildings shall be perpetually maintained and repaired in a safe, reasonably good, and attractive manner by the property owner in a manner that protects against the elements, is structurally safe, and corrects any visual ills or other problems.

...”

SECTION 2. That the City of Sachse Code of Ordinances is amended by amending Chapter 11 titled “Zoning Ordinance” by amending Exhibit 1 by amending Article 4 titled “General Provisions Applying to All or Several Districts” by amending Section 12 titled “Accessory Structures”, to read as follows:

ARTICLE 4. GENERAL PROVISIONS APPLYING TO ALL OR SEVERAL DISTRICTS

...

Sec. 12. Accessory structures

12.1 *General requirements.* The following standards shall apply to all zoning districts.

- (a) An accessory building or structure is a subordinate building/structure, the use of which is secondary to and supportive of the main building or primary use. Accessory buildings or structures shall not be permitted without a main building or primary use in existence.
- (b) No accessory structure shall be used as a dwelling, unless otherwise allowed by the base zoning district.
- (c) No accessory structure shall be constructed upon a lot until the construction of the primary building has commenced, and no accessory structure shall be used unless the primary building on the lot is also being used.
- (d) No accessory structure shall be permitted to have a building footprint in excess of the building footprint for the primary structure, except for accessory structures located on lots that are one (1) acre in area or greater.

12.2 *Residential requirements.* The following standards shall apply to all single-family residential zoning districts.

- (a) All accessory structures over 120 square feet in size require a building permit. Permanent and/or engineered foundations may be required for accessory structures, per the adopted international codes.
- (b) Accessory structures shall be located behind the front building line with a minimum side yard and rear yard setback of three feet. For accessory structures located on corner lots there shall be a side yard setback from the intersecting street of not less than 15 feet in case such lot is back to back with another corner lot and shall conform to front yard requirements in every other case. The interior side yard of a corner lot shall be the same as for dwellings and accessory structures on an interior lot.
- (c) When an accessory structure is greater than 400 square feet, that building shall be required to adhere to the setback requirements for a primary structure in the underlying zoning district.
- (d) All accessory structures of 120 square feet or less shall be exempt from the exterior material and permitting requirements; however, all setbacks must be met, and the building must be located behind the front building line.
- (e) An accessory structure of between 120 square feet and 400 square feet, and which is an enclosed structure, shall have exterior walls constructed of building materials other than metal that are weather resistant, including the roof; provided, however, that if the primary structure on the lot has a metal roof, the accessory structure may also have a metal roof of a similar type.

- (f) The exterior walls and roof of an accessory structure over 400 square feet in size and which is enclosed shall be constructed of building materials that are similar in type and composition as the predominant exterior building material of the primary structure.
- (g) An accessory structure on a lot that is one (1) acre in area or greater may utilize metal for its exterior material and roof, except that any elevation clearly visible from a public place or street shall utilize the predominant building material of the primary structure. All metal structures shall meet the setbacks that apply to the primary structure.
- (h) Any metal walls or roofing for accessory buildings shall not be less than 26 gauge, roll-formed ribbed or standing seam sheeting containing a factory-applied non-reflective finish with a manufacturer's warranty of not less than 20 years for the structure and finish and should have "baked-in" or integral color finishes as opposed to paint. Corrugated "barn tin" is prohibited. Alternative materials may be used for legitimate agricultural facilities.
- (i) The number and size of accessory structures permitted on residential lots shall be regulated by the maximum lot coverage permitted in the zoning district or 35 percent, whichever is less.
- (j) Carports are allowed behind the front building line of the primary building.
- (k) When an accessory structure is higher than 15 feet, that building shall be required to adhere to the setback requirements for a primary structure in the underlying zoning district. At no point shall the height of the accessory structure exceed the primary structure or allowed height of the underlying zoning district, whichever is less.

12.3 *Commercial requirements.* The following standards shall apply to all non-residential, commercial, office, retail, industrial, and multi-family zoning districts and uses.

- (a) Accessory buildings and structures are considered commercial buildings and shall obtain all necessary permits and inspections and abide by all applicable codes and masonry regulations. Modular storage units, portable on demand storage containers, donation bins, and drop off bins/trailers are considered accessory structures.
- (b) Accessory structures with pervious roofs, such as decorative pergolas or arbors, may be constructed with fire-treated and rot-resistant wooden material. An open air pavilion shall encase its columns in masonry that matches the primary building.

- (c) Accessory structures shall not conflict with site features such as fire lanes, landscape buffers, required parking, or other identified features deemed pertinent during the permit review process.

12.4 *Accessory Dwelling Units.* Whether located on the ground as a free standing structure or erected over a private garage or within another structure, the following regulations apply.

- (a) An accessory dwelling unit may not be sold separate from the sale of the entire property, including the primary dwelling unit, and shall be located on the same lot as the primary structure.
- (b) An accessory dwelling unit must have a permanent foundation and cannot be mobile or have a chassis.
- (c) Utility services shall be metered by the same meter as those serving the main structure on the premises.
- (d) Shall abide by the same setback, height, and architectural regulations as the primary structure. An accessory dwelling unit shall not exceed 1,200 square feet in size.
- (e) Unless otherwise allowed by the base zoning district, only lots of ½ half acre or greater in area may have an accessory dwelling unit, and only one (1) accessory dwelling unit is allowed per lot.”

SECTION 3. That, to the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Sachse governing the use and development of the Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

SECTION 4. That all provisions of the Ordinances of the City of Sachse, Texas, in conflict with the provisions of this Ordinance be and the same are hereby, repealed, and that all other provisions of the Ordinances of the City of Sachse not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal, or invalid.

SECTION 6. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Sachse, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. That any person, firm, or corporation violating any provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as

amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the 16th day of July 2018.

APPROVED:

Mike J. Felix
Mayor

DULY ENROLLED:

Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney
(06-19-2018:FINAL TM100389)