



**TOWN OF
PROVIDENCE
VILLAGE**

**Meeting Agenda – Regular Meeting
Providence Village
Planning & Zoning Commission**

**Providence Village Town Hall
1745 F.M. 2931
Providence Village, Texas 76227**

**Tuesday, September 20, 2016
6:30 p.m.**

- 1. Call to Order, Roll Call and Announce a Quorum Present**
- 2. Pledge of Allegiance**
- 3. Staff Reports**
- 4. Oath of Office for Eddie Army.**
- 5. Consider, discuss and appointment new Secretary of Planning & Zoning Commission.**
- 6. Consider, discuss and act upon approval of minutes from August 16, 2016 Planning & Zoning Commission regular meeting.**
- 7. Presentation from Marshall Merritt regarding benefits to Town relating to a daycare facility in business zones.**
- 8. Consider and discuss Subdivision Ordinance.**
- 9. Consider and discuss Zoning Ordinance.**
 - (a) Consider and discuss and act upon proposed amendments to appendices and any additional changes to be included to Zoning Ordinance.
 - (b) Consider and discuss and act upon amendment to 2014-060 entitled Zoning Ordinance to include additional definitions for theatre (indoor), veterinary clinic (inside pens) and veterinary clinic (outside pens) in conjunction with amendments to the appendices.
- 10. Consider and discuss Comprehensive Plan.**
- 11. Consider and act upon topics to be scheduled for a future Planning & Zoning Commission meeting.**

The Planning & Zoning Commission is not permitted to take action on or engage in any discussion regarding an item not listed on the agenda. However, this agenda item provides an opportunity for any member of the Planning & Zoning Commission to propose that a topic be scheduled for a future meeting. Upon an item being proposed for discussion, the

Planning & Zoning Commission will vote to determine its collective desire to schedule the item for discussion and/or action at a future meeting. A majority vote of the Planning & Zoning Commission is required to schedule an item for discussion and/or action at a future meeting.

12. Adjourn.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact Town Hall at (940) 365-9333 or fax (940) 365-9373 for further information.

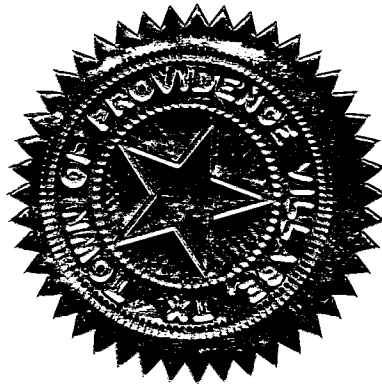
NOTE: It is possible a quorum of Providence Village Council Members could be present, but the Town Council will not take action on any issues.

Certification:

I, the undersigned authority do hereby certify that the Notice of Meeting was posted in the window at the Providence Village Town Hall located at 1745 F.M. 2931, Providence Village, Texas, being a place convenient and readily accessible to the general public at all times and said Notice was posted at 11:30 a.m. on the 16th day of September, 2016.

Connie S. Hansen

Connie S. Hansen, TRMC
Town Secretary



Date Notice Removed

**IN THE NAME AND BY THE AUTHORITY OF
THE STATE OF TEXAS**

Oath of Office

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of *Member of Planning & Zoning Commission, Town of Providence Village* of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and the laws of the United States and of this State, so help me God.

Affiant

Planning & Zoning Commission
Office to Which Appointed

Town of Providence Village
City

Sworn to and subscribed before me by affiant on this 20th day of September, 2016.

(municipal seal)

Signature of Person Administering Oath

Printed Name

Title



**TOWN OF
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**Meeting Minutes – Regular Meeting
Providence Village
Planning & Zoning Commission**

**Providence Village Town Hall
1745 F.M. 2931
Providence Village, Texas 76227**

**Tuesday, August 16, 2016
6:30 p.m.**

1. Call to Order, Roll Call and Announce a Quorum Present

John Gaug called the meeting to order at 6:32 p.m. Dena Vandenberg, Don Kiker, Chris Blue and David Culp were present, being a quorum.

2. Pledge of Allegiance

3. Staff Reports

Brian Roberson reported that there are developers coming in on average about one per week. They are looking at planned development options and it's a race for which one is first.

4. Consider, discuss and act upon approval of minutes from July 19, 2016 Planning & Zoning Commission regular meeting.

Chris Blue moved to approve the minutes from the July 19, 2016 meeting; Don Kiker seconded. Motion carried: 5 in favor, 0 opposed.

5. Consider and discuss Subdivision Ordinance.

Nothing to discuss.

6. Consider and discuss Zoning Ordinance.

- (a) Consider and discuss and act upon proposed amendments to appendices to Zoning Ordinance.

Brian Roberson asked the members if they did their homework and reviewed the appendix to the subdivision ordinance. There was a discussion regarding auto laundries and carwash.

Brian Roberson asked the Town Attorney, Philip Mack Furlow, for confirmation on the status for current potential developers who have not yet filed their plan if any amendments are made, but if an application was on file, then they are grandfathered. Mr. Furlow stated that unless there is an application on file, the

amendments would be in effect. At most the potential developer could argue vested interest, but it would be their responsibility.

There was further discussion regarding out to make the amendments and it was agreed that they would wait until all potential changes had been identified before a motion would be made and then the motion would include all proposed modifications.

Mike Carroll confirmed the distinction between an auto laundry and a car wash. Auto laundry is totally automated.

Chris Blue asked what would fall under the Business Service (Section 5.9). Mike Carroll provided the definition for Business Services. John Gaug asked about car sales or car lots to which Brian Roberson responded that car sales require a considerable amount of land space and any tax revenue is paid to the State.

David Culp moved to make the following amendments to the Zoning Ordinance Appendices:

1. Section 4.1, Auto Laundry, Special Use Permit designation for B-1, B-2, I-1 and I-2;
2. Section 4.13, Car Wash, Special Use Permit designation for B-1, B-2, I-1 and I-2;
3. Vet Clinic (no outside pens) Special Use Permit designation for B-2;
4. Section 5.40, Retail Shop, Yes designation B-1, B-2, I-1 and I-2; and
5. Section 5.37, Print Shop, Special Use Permit designation for B-2;

Chris Blue seconded. Motion carried: 5 in favor, 0 opposed.

7. Consider and discuss Comprehensive Plan.

Nothing to discuss.

8. Consider and act upon topics to be scheduled for a future Planning & Zoning Commission meeting.

Don Kiker asked if this would be where they discussed the creek erosion issue and Brian Roberson informed him that it was not a planning and zoning commission issue.



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6:30 p.m.**

9. Adjourn.

David Culp moved to adjourn; Chris Blue seconded. Motion carried: 5 in favor, 0 opposed. Meeting adjourned at 7:09 p.m.

John Gaug, Chairman

_____, Secretary

Connie S. Hansen, TRMC
Town Secretary

APPENDIX 1 - TABLE 1

ACCESSORY USES

| TYPE OF USE | NOTE* | A | R | MF | MH | B-1 | B-2 | I-1 | I-2 |
|---|-------|---|---|----|----|-----|-----|-----|-----|
| Accessory building to main use | 7.1 | Y | | | | Y | Y | Y | Y |
| Construction yard (1) | 7.3 | Y | | Y | Y | Y | Y | Y | Y |
| Field office Temp. (1) | 7.4 | Y | Y | Y | Y | Y | Y | Y | Y |
| Home occupation (1) See Section 17.3 | 7.5 | Y | Y | Y | Y | | | | |

APPENDIX 1 - TABLE 2A

RESIDENTIAL AND RELATED USES

| TYPE OF USE | NOTE | A | R | MF | MH | B-1 | B-2 | I-1 | I-2 |
|--|------|---|---|----|----|-----|-----|-----|-----|
| Boarding/rooming house | 1.1 | | | S | | | | Y | S |
| Dormitory | 1.2 | | | | | | | | |
| Garden (patio) home | 1.3 | | | Y | | | | | |
| Guest houses | 1.4 | Y | | | | | | | |
| Manuf. Housing (HUD) park | 1.6 | | | | Y | | | | |
| Manuf. Housing (HUD) subdivision | 1.7 | | | | Y | | | | |
| Mobile Home (not HUD Code) | 1.8 | | | | S | | | | |
| Motel/motor/ Hotel/ lodge | 1.9 | | | | | S | S | S | Y |
| Multiple family residence | 1.10 | | | S | | S | S | S | Y |
| Residence hotel | 1.11 | | | | | | | | |
| Retirement housing | 1.12 | | | Y | | | | | |
| Servant's/caretaker or guard's residence | 1.13 | | | | | | | | |
| Single family dwelling detached | 1.15 | Y | Y | Y | Y | | | | |
| Townhouse/row dwelling | 1.16 | | | Y | Y | | | | |
| Travel trailer park | 1.17 | | | | | | | S | S |
| Two family dwelling | 1.18 | | | Y | | | | | |
| Zero lot line house | 1.19 | | | Y | | | | | |

*The number in this column on all Tables references the description/definitions listed in Section 24.

APPENDIX 1 - TABLE 2A

EDUCATIONAL, INSTITUTIONAL AND SPECIAL USES

| TYPE OF USE | NOTE | A | R | MF | MH | B-1 | B-2 | I-1 | I-2 |
|-----------------------------------|-------|---|---|----|----|-----|-----|-----|-----|
| Cemetery or mausoleum | 2.1a | S | | | | | | | |
| Church, rectory, place of worship | 2.1b | S | S | S | S | Y | Y | Y | Y |
| College or university | 2.3 | | | | | | | Y | Y |
| Community center, public | 2.4 | | Y | Y | Y | Y | Y | | |
| Community center, private | 2.5 | | Y | Y | Y | | | | |
| Continuing care facility | 2.6 | | S | Y | | | | S | S |
| Country Club | 2.7 | | S | | | | | S | S |
| Day care center (State Licensed) | 2.8 | | Y | S | Y | | | S | S |
| Exhibition area | 2.9 | S | | | | | | Y | S |
| Fairgrounds | 2.10 | S | | | | | | Y | S |
| Family home (1) | 2.11 | | | Y | | | | Y | Y |
| Farm, ranch, orchard | 2.12 | Y | | | | | | Y | Y |
| Fraternal org./lodge/civic club | 2.13 | | | | | | | Y | Y |
| Golf Course | 2.14 | Y | Y | S | | | | S | |
| Greenhouse/plant nurs./non-comm | 2.15a | Y | | | | | | S | S |
| Greenhouse, commercial | 2.15b | | | | | | Y | Y | Y |
| Hospital, chronic care | 2.16 | | | | | | Y | Y | Y |
| Hospital, general acute care | 2.17 | | | | | Y | Y | Y | Y |
| Household care facility (2) | 2.18 | | | S | S | | | | |
| Kennel (no outside pens) | 2.20 | Y | | | | | | Y | Y |
| Kennel (outside pens) | 2.20 | Y | | | | | | Y | Y |
| Museum or art gallery | 2.22 | | | | | | | Y | Y |
| Nursery school/kindergarten | 2.23 | | S | | | | | S | S |

(1) A family home may not be located within one-half mile of an existing family home.

(2) Shall maintain a minimum separation of one thousand (1,000) feet measured linearly from property line to property line from any other Household Care Facility or Rehabilitation Care Facility.

APPENDIX 1 - TABLE 2B

EDUCATIONAL, INSTITUTIONAL AND SPECIAL USES

| TYPE OF USE | NOTE | A | R | MF | MH | B-1 | B-2 | I-1 | I-2 |
|--|------|---|---|----|----|-----|-----|-----|-----|
| Nursing home | 2.24 | | | Y | Y | | | | Y |
| Park, playground/com rec ctr (public) | 2.25 | Y | Y | Y | Y | | | | |
| Park, playground/com rec ctr (private) | 2.26 | Y | Y | Y | Y | | | | |
| Personal care home | 2.27 | Y | S | Y | Y | | | | |
| Registered family home | 2.29 | Y | S | Y | Y | | | | |
| Rehabilitation care facility | 2.30 | | | S | S | | | Y | Y |
| Rodeo arena and grounds | 2.31 | Y | | | | | | | Y |
| School, private | 2.33 | | | Y | Y | | | Y | Y |
| School, trade or commercial | 2.34 | | | S | S | | | Y | Y |
| Stable, commercial | 2.35 | Y | | | | | | | |
| Stable, private | 2.36 | Y | | | | | | | |
| Public athletic field/stadium | 2.37 | Y | Y | Y | Y | | | | Y |

APPENDIX 1 - TABLE 3

TRANSPORTATION, UTILITY AND COMMUNICATIONS USES

| TYPE OF USE | NOTE | A | R | MF | MH | B-1 | B-2 | I-1 | I-2 |
|---|-------|---|---|----|----|-----|-----|-----|-----|
| Airport, landing field, heliport | 3.1 | | | | | | | | S |
| Electric power gen. plant | 3.2a | | | | | | | Y | Y |
| Electrical substation | 3.2b | | S | S | S | | | Y | Y |
| Electrical transmission line | 3.2c | Y | Y | Y | Y | Y | Y | Y | Y |
| Gas metering station | 3.3a | | Y | Y | Y | | | S | Y |
| Gas transmission line | 3.3b | Y | Y | Y | Y | Y | Y | Y | Y |
| Public/private franch/utility (1) | 3.4 | Y | Y | Y | Y | Y | Y | Y | Y |
| Radio, TV/microwave oper/amateur | 3.5 | S | S | S | S | | | | |
| Radio, TV/microwave oper/comm | 3.6 | | | | | | | Y | Y |
| Service yards of gov. agency | 3.7 | | | S | S | | | Y | Y |
| Town Operations and Use | 3.8 | Y | Y | Y | Y | Y | Y | Y | Y |
| office/storage area of public/private utility | 3.11 | | | | | S | S | S | S |
| Solid waste transfer station | 3.12 | | | | | | | | S |
| Telephone exchange | 3.13a | | | | | | | Y | Y |
| Telephone line | 3.13b | Y | Y | Y | Y | Y | Y | Y | Y |

(1) Including office building, garages, shops, railroad yards and warehouses.

APPENDIX 1 - TABLE 4

AUTOMOBILE RELATED USES

| TYPE OF USE | NOTE | A | R | MF | MH | B-1 | B-2 | I-1 | I-2 |
|--|------|---|---|----|----|-----|-----|-----|-----|
| Auto laundry | 4.1 | | | | | YS | YS | YS | YS |
| Auto leasing | 4.2 | | | | | | | | |
| Auto parts sales (inside only) | 4.3 | | | | | S | Y | Y | Y |
| Auto parts sales (outside) | 4.4 | | | | | | | S | S |
| Auto repair (major) | 4.5 | | | | | | | Y | Y |
| Auto repair (minor) | 4.6 | | | | | | S | Y | Y |
| Automobile sales area, new | 4.7 | | | | | | | | |
| Automobile sales area, used | 4.8 | | | | | | | | |
| Auto fuel station with convenience store | 4.9 | | | | | S | S | Y | Y |
| Auto storage | 4.10 | | | | | | | | S |
| Auto wrecking yard or junk yard | 4.11 | | | | | | | | |
| Car wash (1) | 4.13 | | | | | S | S | YS | YS |
| Parking lot/or parking garage, auto | 4.14 | | | | | | | Y | Y |
| Parking lot/or parking garage, truck | 4.15 | | | | | | | Y | Y |
| Quick oil change facility | 4.16 | | | | | S | S | Y | Y |
| Quick tune-up facility | 4.17 | | | | | S | S | Y | Y |

(1) Car washes shall be set back a minimum of fifty (50) feet from any front, side or back yard adjacent to a residential district.

APPENDIX 1 - TABLE 5A

OFFICE, RETAIL, COMMERCIAL, AND SERVICE TYPE USES

| TYPE OF USE | NOTE | A | R | MF | MH | B-1 | B-2 | I-1 | I-2 |
|--|-------|---|---|----|----|-----|-----|-----|-----|
| Alcoholic Beverage Establishment | 5.48a | | | | | S | S | Y | Y |
| Amusement, Commercial (indoor) | 5.2a | | | | | S | S | Y | Y |
| Amusement, Commercial (outdoor) | 5.2b | | | | | S | S | Y | Y |
| Antique shop | 5.3 | | | | | Y | Y | S | S |
| Arcade | 5.4 | | | | | S | S | S | S |
| Bakery/confectionary retail sales | 5.5a | | | | | Y | Y | Y | Y |
| Banks, Savings and Loan, Credit Unions | 5.6 | | | | | Y | Y | Y | Y |
| Barber Shop | 5.7a | | | | | Y | Y | Y | Y |
| Barber school or college | 5.7b | | | | | | | Y | Y |
| Beauty culture school | 5.7c | | | | | | | Y | Y |
| Beauty shop | 5.7d | | | | | Y | Y | Y | Y |
| Bldg. material sales | 5.8 | | | | | | | S | Y |
| Business service | 5.9 | | | | | S | S | Y | Y |
| Cabinet/upholstery shop | 5.10 | | | | | | | Y | Y |
| Cleaning/small plant or shop | 5.11 | | | | | | | Y | Y |
| Clinic, medical or dental | 5.12 | | | | | S | S | Y | Y |
| Custom personal service shop | 5.14 | | | | | Y | Y | S | S |
| Discount, variety or department store | 5.15 | | | | | Y | Y | S | S |
| Feed store | 5.16 | | | | | | S | Y | Y |
| Flea market | 5.17 | | | | | | | | Y |
| Florist | 5.18 | | | | | Y | Y | Y | Y |

OFFICE, RETAIL, COMMERCIAL, AND SERVICE TYPE USES

| TYPE OF USE | NOTE | A | R | MF | MH | B-1 | B-2 | I-1 | I-2 |
|---|-------|---|---|----|----|-----|-----|-----|-----|
| Food store | 5.19 | | | | | Y | Y | Y | Y |
| Furniture, home furnish, appliance store | 5.20 | | | | | S | Y | Y | Y |
| Garden center (retail) | 5.21 | | | | | S | S | Y | Y |
| General merchandise store | 5.22 | | | | | Y | Y | S | S |
| Household appliance service/repair | 5.23 | | | | | S | S | Y | Y |
| Laboratory, scientific, research, medical | 5.24 | | | | | | | Y | Y |
| Laundry/cleaning self service | 5.25 | | | | | | | Y | Y |
| Metal dealer, secondhand | 5.26a | | | | | | | S | S |
| Metal dealer, crafted precious | 5.26b | | | | | | | S | S |
| Miscellaneous retail store | 5.27 | | | | | S | S | S | S |
| Mortuary or funeral home | 5.28 | | | | | | S | Y | Y |
| Office center | 5.29 | | | | | S | S | Y | Y |
| Office, prof/gen. administrative | 5.30 | | | | | S | S | Y | Y |
| Pawn shop | 5.31 | | | | | | | S | S |
| Pet shop | 5.32 | | | | | | | | |
| Package Sales | 5.48b | | | | | S | S | S | S |
| Pharmacy/drug store | 5.33 | | | | | Y | Y | Y | Y |
| Plumbing, heating, refrig/air con | 5.34 | | | | | | | Y | Y |
| Portable building sales | 5.35 | | | | | | | Y | Y |
| Post Office, gov. & private | 5.36 | | | | | Y | Y | Y | Y |
| Print shop | 5.37 | | | | | | Y | Y | Y |

APPENDIX 2

AREA, SETBACK, HEIGHT AND COVERAGE REGULATIONS

| ZONING DISTRICT | MIN LOT AREA | MIN LOT WIDTH (@ FT BLDG LINE) (LINEAR FEET) | MIN LOT DEPTH (AVERAGE LINEAR FEET) | FRONT SETBACK (LINEAR FEET) | SIDE (INTERIOR* LINEAR FEET) | SETBACK – SIDE STREET* (LINEAR FEET) | REAR SETBACK (LINEAR FEET) | HEIGHT LIMIT (LINEAR FEET) | MAX GROUND COVERAGE (LINEAR FEET) |
|-----------------|--------------|--|-------------------------------------|-----------------------------|------------------------------|--------------------------------------|----------------------------|----------------------------|-----------------------------------|
| A | 2 acres | 150 | 250 | 40 | 10 | 10 | 10 | 35 | |
| R | 4,000 SF | 40 | 100 | 25 | 5 | 10 | 10 | 35 | |
| M H | 2,500 SF | 50 | 120 | 30 | 10 | 10 | 10 | 35 | |
| MF | (a) | (a) | (a) | 75 | 25 | 50 | 75 | 50 | |
| B-1 | 10,000 | 50 | 80 | 25 | 20 | 20 | 20 | 35 | |
| B-2 | 10,000 | 50 | 80 | 25 | 5 (b) | 10 (b) | 10 | 40 | |
| I-1 | 12,500 | 60 | 100 | 25 | 5 (b) | (d) | 10 | 45 | |
| I-2 | 12,500 | 60 | 100 | 25 (c) | (d) | (d) | (e) | 45 | |

*An "Interior" side street setback includes lots; a "side street" setback is one in which the side yard adjoins a side street.

(a) No lot containing multifamily units shall contain less than eleven thousand (11,000) square feet plus one thousand (1,000) square feet per dwelling unit in excess of two units.

(b) A side yard of not less than twenty-five (25) feet in width shall be provided on the side of a lot adjoining a residential district unless an approved natural or artificial barrier is present.

(c) A twenty five (25) foot front yard is required except that a front yard of not less than fifty (50) feet shall be provided upon that portion of a lot abutting or across a street or alley from property in a residential district.

(d) Side yard requirements shall be the same as for the I-1 District except that a side yard of not less than fifty (50) feet in width shall be provided on the side of the lot adjoining or across the street from a residential or business district.

(e) No rear yard is required except that a rear yard of not less than fifty (50) feet in depth shall be provided upon that portion of a lot abutting or across a street or alley from a residential district.

This chart is not complete for all districts and uses. See "District Regulations" for individual zoning districts for additional regulations.

Veterinary clinic (indoor pens) - An establishment, not including outside pens, where animals and pets are admitted for examination and medical treatment and shall meet the following conditions and requirements: (1) Separate customer and service entrances must be provided from exterior building doorways; (2) Clinics may only be allowed in freestanding, single-occupant buildings or the ground floor of a single- or multistory, multi-occupant building; and (3) Disposal of all waste materials shall be in accordance with the Texas Department of Health regulations.

Veterinary clinic (outdoor pens) - An establishment with outside pens, where animals and pets are admitted for examination and medical treatment and meet all of the requirements of a veterinary clinic with indoor pens.

Theatre (indoor) - A building or part of a building devoted to the showing of motion pictures or for dramatic, musical, or live performances with a maximum of ten screens or stages and a combined seating capacity of 2,500 or less.