



**City of Azle
Regular Agenda
Planning and Zoning Commission**

505 W. Main Street
Azle, Texas 76020

November 17, 2022

6:00 PM

Council Chambers

Pursuant to Section 551.071 of the Texas Government Code, the Commission may convene into Executive Session(s) from time to time as deemed necessary during the meeting for any posted agenda item and may receive advice from its attorney as permitted by law.

REGULAR SESSION

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting held on November 3, 2022.

ACTION ITEMS

2. Consider a request for a Land Use Determination for "Vehicle Storage Facility".
David Hawkins, Director of Planning and Development

OTHER ITEMS

3. Development Project Updates
David Hawkins, Director of Planning and Development

ADJOURNMENT

I, the undersigned authority, do hereby certify the above Agenda was posted at City Hall on November 11, 2022, at the City's official bulletin board and is readily accessible to the public at all times in accordance with V.T.C.A. Chapter 551, Texas Government Code.

**David Hawkins, AICP
Director of Planning and Development**

This facility is wheelchair accessible and handicapped parking spaces are available. Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in city functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight hours prior to the scheduled starting time by calling the City Secretary's Office at 817-444-7101. Complete Planning and Zoning Commission agenda packet is available for review at the City Secretary's Office and on our website www.cityofazle.org.



MINUTES
Regular
Azle Planning and Zoning
Commission

505 W. Main Street
Azle, Texas 76020

November 3, 2022

6:00 PM

Council Chambers

REGULAR SESSION

CALL TO ORDER

INVOCATION

Commissioner Arneson gave the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Simmons led the Pledge of Allegiance

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting held on October 20 2022.

Commissioner Simmons moved to approve the minutes of the Regular meeting held on October 20, 2022 as presented. Commissioner Lampkin seconded the motion.

Yes: (6) Jared Arneson, Ricky Simmons, Leonard Wheeler, Jim Carlson, Cynthia Barrios, Curt Lampkin

Absent: (1) Laurel Mosier

ACTION ITEMS

2. Consider and take appropriate action on a Replat of Lot 36, Silver Creek Estates Addition to create Lots 36-R1 & 36-R2, Silver Creek Estates Addition. The property is located on the west side of Ridge View Road, being approximately 1,000' northwest of Silver Creek Azle Road.

Commissioner Simmons moved to approve the Replat of Lot 36, Silver Creek Estates Addition to create Lots 36-R1 & 36-R2, Silver Creek Estates Addition with the condition that the street frontage of Ridge View is confirmed. Commissioner Lampkin seconded the motion.

Yes: (6) Jared Arneson, Leonard Wheeler, Cynthia Barrios, Ricky Simmons, Jim Carlson, Curt Lampkin

Absent: (1) Laurel Mosier

ADJOURNMENT

Chairman Wheeler adjourned at 6:10 PM

Presented and approved on November 17, 2022

Leonard Wheeler, Chairman

Attest:

David Hawkins, Director of Planning and
Development



Presenter: David Hawkins, Director of Planning and Development

Agenda Item: Consider a request for a Land Use Determination for “Vehicle Storage Facility”.

Background and Explanation:

City staff received a request for determination of a land use called “Vehicle Storage Facility” that is defined within Section 3.2 of the Azle Zoning Ordinance but is unlisted on the Permitted Use Schedule (Section 4.10 of the Zoning Ordinance). “Vehicle Storage Facility” is defined as:

“A garage, parking lot, or any type of facility used for the storing or parking of vehicles. The storing or selling of vehicle parts, the removal of vehicle parts from stored vehicles, and the repair or reconstruction of vehicles is prohibited. A vehicle storage facility does not include an “automobile graveyard” as defined in Section 391.001, Texas Transportation Code.”

ANALYSIS:

Per Section 4.9 – New and Unlisted Uses within the City or Azle’s Zoning Ordinance, it is necessary for a determination to be made by the P & Z Commission and City Council on any unlisted uses and which zoning district they would be permitted within. Below are the requirements as written within Section 4.9 of the Zoning Ordinance:

A. It is recognized that new types of land use will develop and forms of land use not anticipated may request to locate in the City of Azle. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

- 1. The Zoning Administrator shall refer the question concerning any new or unlisted use to the City Planning and Zoning Commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation questions shall be accompanied by a statement of the facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage, and amount of nature thereof, enclosed or open storage, anticipated employment, and amount of noise, odor, fumes, dust, toxic material, and vibration likely to be generated.*
- 2. The City Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district within which such use should be permitted.*
- 3. The City Planning and Zoning Commission shall transmit its findings and recommendations to the City Council as to the classification proposed for any new or unlisted use. The City Council shall by resolution approve the recommendations of the City Planning and Zoning Commission or make such determination concerning the classification of such use as is determined appropriate.*

The requester is seeking a determination if this land use would be considered allowed in any Commercial-type zoning district for a specific property. Any land use determination made would not

be for a specific property but for all properties under that zoning classification.

Board/Commission/Committee Recommendation:

The Planning and Zoning Commission will need to forward to City Council a recommendation on whether “Vehicle Storage Facility” would be considered an allowed use and if so, which zoning district(s) it would be permitted in.

Staff Recommendation:

City staff forwards this Land Use Determination request for your consideration. Any determination made on a land use within a zoning district would apply to all properties under such zoning classification(s) and not to any specific property in the City of Azle.

Attachments:

1. Section 4.10 - Permitted Use Schedule

SECTION 4 - ZONING DISTRICTS REGULATIONS

4.10 PERMITTED USE SCHEDULE:

PERMITTED USES	AG	LFO	E-1	E-2	E-3	SF-1	SF-2	SF-3	SF-3.5	SF-4	SF-5	SF-MHP	MD-1	MD-2	MF-1	MF-2	O	CBD	INS	C	HC	IND
Residential Uses																						
Agriculture activity	P																					
Livestock	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1	L1						
Single-family detached	P	P	P	P	P	P	P	P	P	P												
Two family/duplex													P	P	P	P						
Accessory dwellings																		L4				
HUD-code manufactured homes										L2	P	P										
Community homes for the disabled	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						
Multifamily 3 or more units													S	S	P	P						
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						
Group homes/halfway house	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S						
Accessory buildings	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3	L3						
Educational Uses																						
Public schools	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P
College or university																	P	P	P	P	P	P
Private school														S	S	S	S	S	P	S	S	S
Trade school																	S	S	P	S	P	P

Adult or child day-care																	S	P	P	P	P	P
Child day-care 12 children or less	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S							
Institutional Uses																						
Basic utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Churches	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Community service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Conference/convention centers																	S	S	P	S	P	P
Cemeteries																			P			
Elderly housing															P	P			P			
Hospital																			P	P	P	
Medical centers																	P	P	P	P	P	P
Parks and recreation (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wind generator (building mounted)																	L5	L5	L5	L5	L5	L5
Wind generator (free standing monopole)	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6	L6
Commercial Uses																						
Auto and RV sales																				P	P	
Bar																	S		S	S	S	
Bed and breakfast	S	S	S	S	S												S					
Broadcasting or production studio																				P	P	P

Car wash																			S	P	P	
Commercial parking lots																P	P	P	P	P	P	
Equestrian facilities	P																					
Equipment rental																				P	P	
Free standing emergency medical care facility/urgent care																L12	L12	L12	L12	L12	L12	
Hotel /motel																S	S	S	P	P	P	
Indoor recreation																	P	P	P	P	P	
Laundry facilities																			S	P	P	
Major event entertainment	S																		P	P	P	
Medical laboratories																P	P	P	P	P	P	
Movie theaters																			P	P	P	
Outdoor recreation	P																		P	P	P	
Private club																	S		S	S	S	
Professional services and offices																P	P	P	P	P	P	
Quick vehicle servicing																	P		P	P	P	
Restaurant																P	P	P	P	P	P	
Retail sales and service																S	P	P	P	P	P	

RV camp ground/park																				S	S	
Scientific research																	P	P		P	P	P
Sexually oriented business																						S
Temporary construction office	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8	L8
Vehicle repair																					P	P
Industrial Uses																						
Bakeries																		P		P	P	P
Construction material sales																					P	P
Construction equipment sales/storage																						P
Distribution center																				P	P	P
Feed lots	S																					
Food processing	S																					S
Gas wells/oil wells	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Junk yards and auto wrecking																						S
Kennels	S																			L11	L11	L11
Manufacturing, light																		L7		L7	L7	P
Manufacturing, heavy																					L7	P
Manufacturing of nonodoriferous foods																						P

Motor freight terminal																						P
Printing/publishing																		P			P	P
Radio, tv or cellular towers																	S	S	S	S	S	S
Recycling business																					S	P
Sanitary landfills, commercial incinerators, transfer stations	S																					S
Self-service storage																					P	P
Temporary concrete batch plant	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Veterinary clinics	P																			P	P	P
Wholesale sales																				S	P	P
Wholesale nurseries	P																					
Wholesale storage and distribution																					P	P
Wrecker services and impound lots																	L9	L9	L9	L9	L9	L10
Service Uses																						
Barber, beauty & nail salon																	P	P		P	P	P
Dance studio																	P	P		P	P	P
Fitness facility																	P	P	P	P	P	P
Health studio																	P	P	P	P	P	P
Tattoo parlor																				P	P	P

Tanning Salon																	P		P	P	P	

- P - Permitted Use
- S - Specific Use Permit Required
- L - Permitted Use with designated limitations
- L1 - Live stock are permitted in accordance with [Chapter 2](#) of the City of Azle Code of Ordinances
- L2 - HUD-Code manufactured homes are allowed in the SF-4 district only when replacing an existing non-HUD Code trailer house.
- L3 - Accessory structures directly related to an agriculture function are allowed without a primary structure on platted land greater than 5 acres.
- L4 - Accessory Dwelling shall not exceed the total square footage of the primary use, including all ancillary uses. Accessory Dwelling are only allowed on properties with frontage on and addressed from Main Street. Accessory Dwellings must be attached to the structure housing the primary use. Only 1 Accessory Dwelling is allowed per platted lot[.]
- L5 - Building mounted wind generators may not extend higher than ten (10) feet above where the wind generator is mounted on the building. The height shall be measured from the base of the wind generator where it is mounted on the building to the highest point of the arc of the blades' elevation. If the wind generator does not use blades, then height is measured from the base of the wind generator where it is mounted on the building to the highest point of the wind generator.
- L6 - Lots where the proposed wind generators will be located shall have a minimum lot area of two (2) acres. A maximum of one (1) wind generators is permitted by right. Wind generators shall be located a minimum of 150 feet from the property lines. Multiple wind generators are permitted only with approval of a SUP. The maximum height of a wind generators shall not exceed the maximum height of a structure per the zoning district without an SUP[.]
- L7 - No outside storage of materials is allowed. No measurable increase in ambient sound shall be detectable at the property line.
- L8 - Temporary Construction Office may be erected 30 days prior to construction activities and shall be removed within 10 days of completion of construction activity[.]
- L9 - No vehicle storage allowed[.]
- L10 - A maximum of 30 vehicles may be stored[.]
- L11 - A minimum separation of 500' from any outdoor kennel or run shall be maintained to any adjacent residential use.
- L12 - A minimum separation of 300' shall be maintained to any adjacent residential use[.]

EXHIBIT A ZONING ORDINANCE

SECTION 23 - INS, INSTITUTIONAL DISTRICT

SECTION 23 - INS, INSTITUTIONAL DISTRICT

23.1 INTENT:

The INS, Institutional District, is intended for those publicly-owned uses related to the public welfare or for those privately-owned uses related to the public welfare by nature of use and/or design.

Many privately-owned or governmental-type uses permitted in the INS, Institutional District, may be designed to obtain open space advantages by utilizing land that would otherwise be prohibited or difficult to develop.

Because the uses permitted in the INS, Institutional District may vary in size and number of structures and uses, an application for INS zoning on more than one acre shall include a development plan.

SECTION 23 - INS, INSTITUTIONAL DISTRICT**23.2 PERMITTED USES:**

See permitted use schedule in [Section 4.10](#) of this ordinance. NOTE: (S) indicates that a specific use permit must be issued in accordance with the requirements of [Section 32](#) of this ordinance.

SECTION 23 - INS, INSTITUTIONAL DISTRICT**23.3 DEVELOPMENT REGULATIONS:**

- | | | |
|----|----------------------|-------------------|
| A. | Minimum lot area | 5,000 square feet |
| B. | Minimum lot width | 50 feet |
| C. | Minimum front yard | 25 feet |
| D. | Minimum rear yard | 25 feet |
| E. | Minimum side yard | 15 feet |
| F. | Maximum bldg. height | 4 stories |

*Any building in excess of 2 stories or thirty-five (35) feet in height shall be set back an additional five (5) feet from each property line for each story in excess of 2 stories or thirty-five (35) feet.

SECTION 23 - INS, INSTITUTIONAL DISTRICT**23.4 OUTDOOR STORAGE:**

Outdoor storage is permitted.

SECTION 23 - INS, INSTITUTIONAL DISTRICT**23.5 SIGNS:**

Signs may be erected in accordance with the sign ordinance.

SECTION 23 - INS, INSTITUTIONAL DISTRICT**23.6 ARRANGEMENT OF USES:**

Permitted uses, specific use permits and accessory uses ([Section 32](#) of this ordinance) may be located in separate structures or within the same building. A detached accessory building must conform in appearance to the main building with architecturally compatible construction and by utilizing like kind materials and design.

SECTION 23 - INS, INSTITUTIONAL DISTRICT**23.7 OFF-STREET PARKING AND LOADING:**

Off-street parking and loading shall be in accordance with [Section 28](#) of this ordinance.

SECTION 23 - INS, INSTITUTIONAL DISTRICT
--

23.8 SCREENING:

Screening shall be in accordance with [Section 27](#) of this ordinance.

SECTION 23 - INS, INSTITUTIONAL DISTRICT
--

23.9 ACCESSORY BUILDINGS AND STRUCTURES:

Accessory buildings and structures shall be in accordance with [Section 27](#) of this ordinance.

SECTION 23 - INS, INSTITUTIONAL DISTRICT
--

23.10 LANDSCAPING:

Landscaping shall be in accordance with [Section 29](#) of this ordinance.