



**PLANNING & ZONING COMMISSION
REGULAR MEETING AGENDA
JANUARY 17, 2023, AT 6:00 P.M.
1500 COMMONS CIRCLE, SUITE 300, NORTHLAKE, TEXAS 76226**

1. CALL TO ORDER

2. ANNOUNCEMENTS AND PRESENTATIONS

A. Comprehensive Plan Update

3. PUBLIC INPUT

This item is available for citizens to address the Planning & Zoning Commission on any issues that are not the subject of a public hearing. The presiding officer may ask the citizen to hold his or her comment on an agenda item until that agenda item is reached. By law, no deliberation or action may be taken on the topic if the topic is not posted on the agenda. The presiding officer reserves the right to impose a time limit on this portion of the agenda.

4. NEW BUSINESS

A. Consider approval of the meeting minutes from November 29, 2022

B. Consider a recommendation on proposed text amendments to Section 1.01.004 "Definitions and Rules of Construction" of Article 1.01 "Code of Ordinances" of the Codes of Ordinances and Section 3.4 "Board of Adjustment" of Article 3 "Boards and Commissions" of the Unified Development Code. Case # UDC-22-005.

a. Public Hearing

b. Consider recommendation

C. Consider recommendation of Planning & Zoning Commissioner to serve on Steering Committee for Comprehensive Plan Update

5. ADJOURN

NOTE: The Planning & Zoning Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by Texas Government Code Section 551.071(Consultation with Attorney); Section 551.072 (Deliberations about Real Property);551.073 (Deliberations about Gifts and Donations); 551.087(Economic Development Negotiations).

CERTIFICATION

I, Zolaina R. Parker, Town Secretary for the Town of Northlake, Texas, hereby certify that the above agenda was posted on the official bulletin board located at Town Hall, 1500 Commons Circle, Suite 300, Northlake, Texas

76226, on January 13, 2023, by 5:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Zolaina R. Parker
Zolaina R. Parker, Town Secretary

NOTICE: THE TOWN OF NORTHLAKE'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). THE TOWN WILL PROVIDE ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE TOWN SECRETARY'S OFFICE AT 940-242-5702 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD), BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATIONS CAN BE ARRANGED.

NORTHLAKE PLANNING & ZONING COMMISSION COMMUNICATION



DATE: January 17, 2023
REF. DOC.: Council Strategic Plan; Texas Local Government Code (TLGC) Chapter 213
SUBJECT: Comprehensive Plan Update
**GOALS/
OBJECTIVES:** Reinforce our Identity/Define who we are (and don't settle for less)

UPDATE:

- Halff Associates selected to update Comprehensive Plan
- Initial meeting held with project team on January 3rd
- Biweekly update meetings scheduled with project team
- Update process planned over six phases to be completed by end of 2023
 - Project initiation - Current Phase (January & February)
 - Project initiation and administration
 - Pre-planning and background information
 - Community Outreach
 - Explore
 - Scenario Development
 - Future Development Guidance
 - Town Center Small Area Plan
 - Implementation
- Steering committee proposed
 - 10-15 member advisory committee
 - 6 total meetings anticipated
 - Recommended to include representation from boards
 - Mayor and Council to determine make up of committee
- P&Z will be heavily involved throughout the process of developing the plan
 - Two joint meetings proposed with Town Council, Economic Development Corporation (EDC), and Community Development Corporation (CDC)
 - Public hearing held before P&Z and makes recommendation on plan before Town Council will hold another hearing and act on it

P&Z ACTION:

- No action necessary.

NORTHLAKE PLANNING & ZONING COMMISSION COMMUNICATION



DATE: January 17, 2023
REF. DOC.: Town Home Rule Charter - Section 3.13 Rules of the Council: Minutes and Procedures
SUBJECT: Approval of Minutes from November 29, 2022
**GOALS/
OBJECTIVES:** Define Future Amenities/Provide advanced technology to survey, track, and deliver citizen services

P&Z ACTIONS:

- Approve proposed Minutes



**PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
NOVEMBER 29, 2022**

A. CALL TO ORDER

Chairperson Monson called the meeting to order at 5:30 p.m., and a quorum was present.

Michaela Monson	Bryan Davenport
Kristen Dixon - Absent with Notice	Aaron Fowler
Chris Amarante	Danny Simpson
Maryl Lorencz	

B. BRIEFINGS

1. Comprehensive Plan update process

The item was presented by Jacob Rojo, Planner, and commentary followed. The Commission's consensus was to proceed with the process as presented and provide an update at a future meeting.

2. Water and Sewer Master Plans and Impact Fee Updates and role of the Planning & Zoning Commission in the process by serving as the Capital Improvement Advisory Committee

The item was presented by Nathan Reddin, Development Services Director, and commentary followed. There was no consensus as the item was only for presentation purposes.

C. PUBLIC INPUT

- None

D. NEW BUSINESS

1. Consider approval of the meeting minutes from November 1, 2022
APPROVED

The item was presented, and commentary followed.

Commissioner Amarante moved to approve the item as presented. Motion seconded by Vice-Chairperson Fowler. Motion carried.

AYES (6): Monson, Fowler, Amarante, Simpson, Davenport, Lorencz
NAYS (0): None
ABSENT (1): Dixon

2. Consider approval of a Final Plat of Harvest Town Center, a proposed two-lot commercial development on a 2.4-acre tract of land in the Patrick Rock Survey, Abstract No. 1063, generally located on the northeast corner of FM 407 and Harvest Way and Mixed-Use Planned Development (MPD). Realty Capital Argyle 114 LLC is the owner/applicant. Peloton Land Solutions is the engineer/surveyor. Case # FP-22-021
APPROVED

The item was presented, and commentary followed.

Commissioner Davenport moved to approve the item as presented. Motion seconded by Commissioner Lorencz. Motion carried.

AYES (6): Monson, Fowler, Amarante, Simpson, Davenport, Lorencz
NAYS (0): None
ABSENT (1): Dixon

3. Consider approval of a Final Plat of Creek Meadows West, Phase One, a proposed 39-residential lot phase of the proposed Creek Meadows West development on a 55.47-acre tract of land in the J.M. Paine Survey, Abstract No. 1529, generally located on the west side of Faught Road and north of Faith Lane in the extraterritorial jurisdiction of the Town of Northlake. CM West, LLC is the owner/applicant. GEES Engineering is the engineer. KAZ Surveying, Inc. is the surveyor. Case # FP-22-022
APPROVED

The item was presented, and commentary followed.

Vice Chairperson Fowler moved to approve the item as presented. Motion seconded by Commissioner Lorencz. Motion carried.

AYES (6): Monson, Fowler, Amarante, Simpson, Davenport, Lorencz
NAYS (0): None
ABSENT (1): Dixon

E. ADJOURNMENT

With no further business, Chairperson Monson adjourned the meeting at 6:29 p.m.

Michaela Monson, Chairperson

Attest:

Zolaina R. Parker, Town Secretary

MINUTES APPROVED ON: _____

NORTHLAKE PLANNING & ZONING COMMISSION COMMUNICATION



DATE: January 17, 2023
REF. DOC.: Unified Development Code (UDC); Texas Local Government Code (TLGC) Sec. 211.008
SUBJECT: Unified Development Code (UDC) amendment to update references to Town Manager and update terms and notice requirements for Board of Adjustment (BOA)
**GOALS/
OBJECTIVES:** Advance Northlake's Interests/Effectively plan and manage ahead of state restrictions

UDC AMENDMENT/ORDINANCE UPDATE

Summary:

- Home rule charter adopted at election held on May 1, 2021
 - Created Town Manager position
 - Called for separate board to act as Board of Adjustment (BOA)
 - Prior to Charter, Town Council acted as BOA
- Unified Development Code (UDC) amended in 2021 to comply with provisions of the Charter
 - References to Town Administrator updated to Town Manager
 - Created separate BOA with terms of office set for one year
- This UDC amendment proposes to:
 - Replace remaining references to Town Administrator with Town Manager
 - Update BOA terms of office to two years
 - Remove requirement to publish notice of BOA agenda items in newspaper

Staff

Analysis:

- Further amendments to the UDC necessary to comply with the Charter and Texas Local Government Code (TLGC)
 - Several references to Town Administrator remain and need to be updated to Town Manager
 - One year BOA terms of office do not comply with the TLGC which requires two-year terms of office
- UDC requires BOA agenda items be published in newspaper 72 hours in advance of meeting
 - Such notice is not typical and not required by any other law
 - Requirement adds unnecessary administrative burden and cost with little benefit
 - BOA meeting agenda must be posted at Town Hall and on Town website 72 hours prior to meeting
 - BOA public hearings require notice in writing and also posted on website
- Provisions in proposed UDC amendment address issues outlined above

P&Z ACTION:

- Hold public hearing
- Recommend approval or disapproval of the UDC text amendments as proposed in attached draft ordinance



TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE

ORDINANCE NO. 22-___

AN ORDINANCE AMENDING SECTION 1.01.004, “DEFINITIONS AND RULES OF CONSTRUCTION,” OF ARTICLE 1.01, “CODE OF ORDINANCES,” OF THE CODE OF ORDINANCES, TOWN OF NORTHLAKE, TEXAS, BY ADDING A DEFINITION OF “TOWN MANAGER;” AMENDING THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF NORTHLAKE, TEXAS TO REPLACE REFERENCES OF TOWN ADMINISTRATOR WITH TOWN MANAGER; AMENDING SECTION 3.4, “BOARD OF ADJUSTMENT,” OF ARTICLE 3, “BOARDS AND COMMISSIONS,” OF THE UNIFIED DEVELOPMENT CODE TO PROVIDE THAT BOARD MEMBERS SHALL HAVE TWO YEAR TERMS AND TO CLARIFY NOTICE REQUIREMENTS FOR BOARD OF ADJUSTMENT HEARINGS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Northlake, Texas is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the Town previously adopted the Town’s Unified Development Code (“UDC”) on January 24, 2013; and

WHEREAS, the UDC provides for text amendments in certain situations; and

WHEREAS, the Town updated the UDC in 2021 to comply with provisions passed in the Town’s newly adopted Charter; and

WHEREAS, after further review, the Town finds it necessary to further amend the UDC to comply with the Charter;

WHEREAS, the Town Planning and Zoning Commission held a public hearing on January 17, 2023 and the Town Council held a public hearing on January 26, 2023 after proper notification with respect to the adoption of the proposed UDC text amendments herein in accordance with the UDC and the Texas Local Government Code; and

WHEREAS, the Town Council has determined that the amendment as outlined herein is in the best interest of the health, safety, and general welfare of the citizens of the Town of Northlake and the public.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

SECTION 1. The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. Section 1.01.004, “Definitions and rules of construction,” of Article 1.01, “Code of Ordinances,” of the Code of Ordinances, Town of Northlake, Texas, shall be amended by adding a definition of “Town Manager” and amending the definition of “Town administrator, town manager, town secretary, chief of police, or other town officers,” to read as follows:

“§ 1.01.004 Definitions and rules of construction.

Town Manager. The term “town administrator” or “town manager” shall be construed to mean the Town Manager of the Town of Northlake, Texas.

Town Secretary, chief of police, or other town officers. The term “town secretary,” “chief of police,” or other town officer or department shall be construed to mean the town secretary, chief of police, or such other municipal officer or department, respectively, of the Town of Northlake, Texas.

***”

SECTION 3. Section 1.8, “Minimum Requirements,” in Article 1 “General Provisions;” Section 2.1, “Official Zoning Map,” in Article 2, “Official Maps;” Sections 3.1, “General Provisions,” and Section 3.5, “Administrative Authority,” in Article 3, “Boards and Commissions;” Section 4.2 “Initiation of Application,” Section 4.3, “Notice Requirements,” Section 4.5, “Post-Decision Procedures,” Section 4.6, “Comprehensive Plan Amendment,” Section 4.7, “Unified Development Code Text Amendment,” Section 4.11, “Appeals,” Section 4.12, “Public Infrastructure Improvement Construction Plans and Community Facilities Agreements,” and Section 4.13, “Building Permits,” in Article 4, “Procedures and Applications;” Section 5.4, “Zoning Change/Zoning Map Amendment,” Section 5.10, “Planned Development,” and Section 5.12, “Temporary Use Permit (TUP),” in Article 5, “Zoning Districts;” Section 6.1, “Manufactured Home Subdivisions,” and Section 6.2, “Manufactured Home Parks,” in Article 6, “Manufactured Homes;” Section 7.7, “Reconstruction or Repair of Nonconforming Structure,” in Article 7, “Nonconforming Lots, Use and Structures;” Section 8.1, “Secured (Gated) Communities,” Section 8.2, “Accessory Uses and Structures,” and Section 8.5, “Outdoor Lighting Regulations,” in Article 8, “Special Uses and General Regulations;” Section 9.10, “Landscaping and Tree Protection,” and Section 9.11, “Screening and Fencing,” in Article 9, “Design Standards;” Section 10.2, “General Provisions,” and Section 10.4, “Schedule of Off-Street Parking Requirements,” in Article 10, “Parking and Loading Standards;” Section 11.10, “Sign Specifications, Design and Other Requirements,” and Section 11.18, “Definitions and Requirements,” in Article 11, “Signs;” Section 12.4, “Approval Procedure,” Section 12.9, “Preliminary Plat Preparation and Approval,” Section 12.10, “Final Plat Preparation and Approval,” Section 12.11, “Replat Preparation and Approval,” Section 12.14, “Minor Plat Process,” and Section 12.15, “Site Plan Process,” in Article 12, “Subdivisions;” Section 13.9, “Road Repair Agreement,” Section 13.14, “Review of Applications for Oil and Gas Well Permit,” Section 13.18, “Periodic Reports,” Section 13.19, “Amended Oil and Gas Well Permits,” and Section 13.29, “Remedies of the Town,” in Article 13, “Oil and Gas Well Drilling Regulations;” and Section 14.1, “Definitions,” in Article 14, “Definitions,” are hereby amended by replacing all references to “Town Administrator” with “Town Manager.”

SECTION 4. Section 3.4, “Board of Adjustment,” in Article 3, “Boards and Commissions,” of the Unified Development Code of the Town Northlake is hereby amended by amending Subsections 3.4.A. and 3.4.D. to read as follows:

“§ 3.4. Board of Adjustment

A. Creation and Organization

There is hereby created a board known as the board of adjustment, which shall be organized as follows:

1. The board of adjustment shall consist of five regular members appointed by a majority vote of the Town Council.
2. Members shall be designated as places one through five.
3. Each member of the board shall be a resident citizen and qualified voter of the Town, at the time of appointment. A member who ceases to reside in the Town during their term of office shall immediately forfeit their office.
4. The term of office for members of the board shall be for two years. Members may be removed for cause before their terms of office expire.
 - a. Cause for removal may include any of the following:
 - i. Refusal or failure to attend board meetings;
 - ii. Violation of state law involving conflicts of interest;
 - iii. Violation of the Town's code of ethics;
 - iv. Incompetency; or
 - v. Any other cause that impedes the ability of the member to perform their duties.
5. Members of the board shall serve without compensation.

D. Appeals to the BOA

5. Notice of Hearing. Official written notice of public hearing on every application for a variance or special exception or for an interpretation of regulations shall be sent to all owners of property, or to the person rendering the same for Town taxes, affected by such application, located within two hundred (200) feet of any property affected thereby, within not less than ten (10) days before such hearing is held. Such notice shall be served by using the last known address as listed on the town tax roll and depositing the notice, postage prepaid, in the United States mail. Notice of hearings shall also be provided by means of a general notice by posting a list of items on the agenda to be heard by the BOA at a public place in Town Hall at least seventy-two (72) hours before the hearing on said items.

***"

SECTION 5. Any person violating any provision of this ordinance shall be fined for each and every day during which any violation of any provision of this ordinance is committed, continued, or permitted in the maximum amount allowed by law as provided in Section 1.01.009 of the Town Code.

SECTION 6. With the exception of those Ordinances expressly repealed herein, this Ordinance shall be cumulative of all provisions of Ordinances of the Town of Northlake, except where the provisions of this

Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more stringent provision shall apply and the less stringent provision, whether contained within this Ordinance or in any prior Ordinance of the Town, whether codified or un-codified, is hereby repealed to the extent of the conflict, but all other provisions of the Ordinances of the Town, whether codified or un-codified, which are not in conflict with the provisions of the Ordinance, shall remain in full force and effect.

SECTION 7. It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraph section of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8. All rights and remedies of the Town are expressly saved as to any and all violations of the provisions of this Ordinance, or any other Ordinances affecting the matters addressed herein, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by the Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9. The Town Secretary of the Town of Northlake is hereby directed to publish the caption, penalty clause, publication clause, and effective date clause of this Ordinance.

SECTION 10. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND APPROVED on this the 26th day of January, 2023

Town of Northlake, Texas

David Rettig, Mayor

ATTEST:

Zolaina Parker, Town Secretary

NORTHLAKE PLANNING & ZONING COMMISSION COMMUNICATION



DATE: January 17, 2023
REF. DOC.: Council Strategic Plan; Half Comprehensive Plan Update Proposal
SUBJECT: Recommend Planning & Zoning (P&Z) Commissioner to serve on Steering Committee for Comprehensive Plan Update
**GOALS/
OBJECTIVES:** Reinforce our Identity/Establish Council ownership of consensus-based plans

BACKGROUND INFORMATION:

- Steering Committee proposed to guide Comprehensive Plan update process
 - 10-15 member advisory committee recommended to include:
 - Diversity of stakeholders
 - Representation from boards and commissions such as the P&Z
 - 6 total meetings anticipated
 - Mayor and Council to determine committee members
 - May consider nominations received from each board/commission for representation on the Steering Committee

P&Z ACTION:

- Recommend a P&Z Commissioner to Town Council for consideration of appointment to the Steering Committee