

Notice of a Meeting
Dalworthington Gardens Planning and Zoning Commission

October 13, 2022 at 6:00 P.M.

City Hall Council Chambers, 2600 Roosevelt Drive, Dalworthington Gardens, Texas

The Planning and Zoning Commission reserves the right to adjourn into closed session at any time during the course of this meeting as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney).

1. Call to Order
2. Approval of Minutes
 - i. April 25, 2022 Minutes
 - ii. May 16, 2022 Minutes
 - iii. August 22, 2022 Minutes
 - iv. September 13, 2022 Minutes
3. Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding mobile food units and mobile food establishments.
 - i. Public hearing
 - ii. Discussion and possible action
4. Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding agrihood regulations.
 - i. Public hearing
 - ii. Discussion and possible action
5. Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding garden home regulations.
 - i. Public hearing
 - ii. Discussion and possible action
6. Adjourn

CERTIFICATION

This is to certify that a copy of the **October 13, 2022** Planning and Zoning Commission Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofdvg.net, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: _____ TIME OF POSTING: _____ TAKEN DOWN: _____

Lola Hazel, City Administrator

Dalworthington Gardens Planning and Zoning Commission
Meeting Minutes
April 25, 2022

1. Call to Order

Chairperson Todd Batiste called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Todd Batiste, Chairperson
Johanna Storm
Paul Sweitzer
Anthony Parker, Alternate

Members Absent:

Brian Colin
Brad Catlett, Alternate
Maurice Clark, Vice Chairperson

Staff Present:

Lola Hazel, City Administrator

2. Consider approval of a preliminary plat application from Green's Produce & Plants, being all of Lot 5, Block A of Gardens Industrial Park, an addition to the City of Dalworthington Gardens, Tarrant County, Texas, as recorded under Document Number D219288085, plat records of Tarrant County, Texas, and a tract of land out of the Nathan Smith Survey, Abstract No. 1432, City of Dalworthington Gardens, Tarrant County, Texas, and located at 2811 W. Arkansas Lane and 3001 W. Arkansas Lane.

- i. Public hearing**
- ii. Discussion and possible action**

Background information on this item: Section 10.02.004 of the City's Code of Ordinance states no land is to be subdivided in the city except by platting in compliance with chapter 212 of the Texas Local Government Code and city ordinance, and no building permit shall be issued for construction of improvements on any property not platted.

Green's Produce has acquired 2811 W. Arkansas Lane and is platting it as required along with their existing property at 3001 W. Arkansas Lane.

In accordance with Section 10.02.031, the city determined the plat application to be complete on February 8, 2022. In accordance with Section 10.02.094, the plat application was then forwarded to the city engineer for review. On February 28, 2022, the city engineer conducted his final review of the plat, determined the plat conforms with the City's subdivision ordinance, and recommended approval of the plat.

The city has notified all property owners within 200' and included information on how to provide public comments at both the planning and zoning meeting and city council meeting.

Local Government Code, Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirements of city ordinances. As such, staff recommends approval of this plat.

Chairperson Todd Batiste opened the public hearing at 6:04 p.m.

With no one desiring to speak, Chairperson Todd Batiste closed the public hearing at 6:04 p.m.

A motion was made by Commissioner Paul Sweitzer and seconded by Commissioner Anthony Parker to approve a preliminary plat application from Green's Produce & Plants, being all of Lot 5, Block A of Gardens Industrial Park, an addition to the City of Dalworthington Gardens, Tarrant County, Texas, as recorded under Document Number

D219288085, plat records of Tarrant County, Texas, and a tract of land out of the Nathan Smith Survey, Abstract No. 1432, City of Dalworthington Gardens, Tarrant County, Texas, and located at 2811 W. Arkansas Lane and 3001 W. Arkansas Lane.

Motion carried by the following vote:

Ayes: Members Storm, Sweitzer, and Parker

Nays: None

- 3. Consider approval of a final plat application from Green’s Produce & Plants, being all of Lot 5, Block A of Gardens Industrial Park, an addition to the City of Dalworthington Gardens, Tarrant County, Texas, as recorded under Document Number D219288085, plat records of Tarrant County, Texas, and a tract of land out of the Nathan Smith Survey, Abstract No. 1432, City of Dalworthington Gardens, Tarrant County, Texas, and located at 2811 W. Arkansas Lane and 3001 W. Arkansas Lane.**

- i. Public hearing**

- ii. Discussion and possible action**

Background information on this item: Section 10.02.004 of the City’s Code of Ordinance states no land is to be subdivided in the city except by platting in compliance with chapter 212 of the Texas Local Government Code and city ordinance, and no building permit shall be issued for construction of improvements on any property not platted.

Green’s Produce has acquired 2811 W. Arkansas Lane and is platting it as required along with their existing property at 3001 W. Arkansas Lane.

In accordance with Section 10.02.031, the city determined the plat application to be complete on February 8, 2022. In accordance with Section 10.02.094, the plat application was then forwarded to the city engineer for review. On March 24, 2022, the city engineer conducted his final review of the plat, determined the plat conforms with the City’s subdivision ordinance, and recommended approval of the plat.

The city has notified all property owners within 200’ and included information on how to provide public comments at both the planning and zoning meeting and city council meeting.

Local Government Code, Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirements of city ordinances. As such, staff recommends approval of this plat.

Chairperson Todd Batiste opened the public hearing at 6:07 p.m.

With no one desiring to speak, Chairperson Todd Batiste closed the public hearing at 6:08 p.m.

A motion was made by Commissioner Anthony Parker and seconded by Commissioner Johanna Storm to approve a final plat application from Green’s Produce & Plants, being all of Lot 5, Block A of Gardens Industrial Park, an addition to the City of Dalworthington Gardens, Tarrant County, Texas, as recorded under Document Number D219288085, plat records of Tarrant County, Texas, and a tract of land out of the Nathan Smith Survey, Abstract No. 1432, City of Dalworthington Gardens, Tarrant County, Texas, and located at 2811 W. Arkansas Lane and 3001 W. Arkansas Lane.

Motion carried by the following vote:

Ayes: Members Storm, Sweitzer, and Parker

Nays: None

- 4. Discussion and possible action on a change to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, to add a special exception for tattoo shops in the light industrial district.**

Background information on this item: Tattoo shop is currently not an allowed use in any zoning district in city ordinances. At the city attorney’s recommendation, this use is being added into ordinances. Suggested practice is to allow all uses somewhere in ordinances and not completely prohibit a given use. With that in mind, staff is providing

a proposal to add the use as a special exception in the light industrial district. However, there are a multitude of options the Commission could choose. The Commission could allow the use as a special exception in all district but limit the distance to churches and schools. The Commission could also allow the use outright in a commercial zoning district, which would mean an applicant could apply for a certificate of occupancy without having to go through the special exception process.

Chairperson Todd Batiste opened the public hearing at 6:20 p.m.

With no one desiring to speak, Chairperson Todd Batiste closed the public hearing at 6:21 p.m.

A motion was made by Commissioner Johanna Storm and seconded by Commissioner Paul Sweitzer to recommend approval of a change to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, to add a special exception for tattoo shops with the following conditions:

- Allow in B-3 and L-I zoning districts
- Cannot be contiguous to residential, churches, or schools
- No tattoo shop can be within 1,000 feet of another tattoo shop
- Hours of operation no later than 11 p.m.

Motion carried by the following vote:

Ayes: Members Storm, Sweitzer, and Parker

Nays: None

5. Adjourn

The meeting was adjourned at 6:47 p.m.

Dalworthington Gardens Planning and Zoning Commission
Meeting Minutes
May 16, 2022

1. Call to Order

Chairperson Todd Batiste called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Todd Batiste, Chairperson
Maurice Clark, Vice Chairperson
Johanna Storm
Anthony Parker, Alternate
Brian Colin

Members Absent:

Paul Sweitzer
Brad Catlett, Alternate

Staff Present:

Lola Hazel, City Administrator

2. Discussion and possible action to consider changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, to change the authority for hearing special exceptions.

- i. Public hearing**
- ii. Discussion and possible action**

Background information on this item: At the April 21 City Council Meeting, staff requested consideration of a change to the authority to hear special exception cases. The current process for special exceptions is to go before the Planning and Zoning Commission, and then is sent to the Zoning Board of Adjustments for final decision. An ordinance is being presented that would change the process to go before the Planning and Zoning Commission and then to City Council for final approval.

Chairperson Todd Batiste opened the public hearing at 6:01 p.m.

With no one desiring to speak, Chairperson Todd Batiste closed the public hearing at 6:01 p.m.

A motion was made by Commissioner Johanna Storm and seconded by Commissioner Anthony Parker to recommend approval of changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, to change the authority for hearing special exceptions from the Zoning Board of Adjustment to Planning and Zoning and City Council.

Motion carried by the following vote:

Ayes: Members Storm, Sweitzer, and Parker

Nays: None

3. Adjourn

The meeting was adjourned at 6:08 p.m.

Dalworthington Gardens Planning and Zoning Commission
Meeting Minutes
August 22, 2022

1. Call to Order

Chairperson Todd Batiste called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Todd Batiste, Chairperson
Paul Sweitzer
Anthony Parker, Alternate

Members Absent:

Johanna Storm
Brian Colin
Brad Catlett, Alternate
Maurice Clark, Vice Chairperson

Staff Present:

Lola Hazel, City Administrator

2. Approval of March 28, 2022 minutes.

A motion was made by Commissioner Paul Sweitzer and seconded by Commissioner Anthony Parker to approve the March 28, 2022 minutes.

Motion carried by the following vote:

Ayes: Members Sweitzer and Parker
Nays: None

3. Discussion and possible action to consider changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, to remove standards for refuse disposal containers from the zoning ordinance.

- i. Public hearing**
- ii. Discussion and possible action**

Background information on this item: Council is making changes to the City's ordinances, Chapter 13, Utilities, regarding refuse disposal containers also known as solid waste containers. In conjunction with those changes, there is one reference to these containers in the Zoning Ordinance that needs to be removed as all regulations for said containers will now be in Chapter 13, Utilities. This item allows removal of one sentence shown in Section 14.02.221(b)(3) as follows:

“(3) Outside solid waste containers shall be screened from public view by a masonry screening device.”

Chairperson Todd Batiste opened the public hearing at 6:01 p.m.

With no one desiring to speak, Chairperson Todd Batiste closed the public hearing at 6:01 p.m.

A motion was made by Commissioner Anthony Parker and seconded by Commissioner Paul Sweitzer to recommend approval of changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, to remove standards for refuse disposal containers from the zoning ordinance.

Motion carried by the following vote:

Ayes: Members Sweitzer and Parker

Nays: None

4. Discussion and possible action to consider changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, to identify short-term rentals as a permitted use in residential districts, subject to certain conditions.

- i. Public hearing**
- ii. Discussion and possible action**

Background information on this item: Council is making changes to the City's ordinances, Chapter 4 to add regulations for short-term rentals. Although the majority of the language is in Chapter 4, Business Regulations, there are a few references in the zoning ordinance needing review by Planning and Zoning.

The following changes are proposed:

- Section 14.02.092, Definitions: Adding a definition for short-term rental.
- Section 14.02.171, General Provisions: Adding short-term rentals as a permitted use in residential districts
- Section 14.02.321, Special Exceptions: Adding a special exception for short-term rentals that exceed density limitations.
 - The density requirement is as follows as laid out in Chapter 4:
 - Density limitations for short-term rental properties.
 - Limitation. Short term rentals shall be limited to no more than one-eighth (12.5 percent) of the total number of residential units on the block or in a multi-unit building. Notwithstanding the foregoing, at least one short-term rental shall be permitted per block or multi-unit building, regardless of density.

Chairperson Todd Batiste opened the public hearing at 6:04 p.m.

With no one desiring to speak, Chairperson Todd Batiste closed the public hearing at 6:04 p.m.

A motion was made by Commissioner Anthony Parker and seconded by Commissioner Paul Sweitzer to recommend approval of changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, to identify short-term rentals as a permitted use in residential districts, subject to certain conditions.

Motion carried by the following vote:

Ayes: Members Sweitzer and Parker

Nays: None

5. Adjourn

The meeting was adjourned at 6:09 p.m.

Dalworthington Gardens Planning and Zoning Commission
Meeting Minutes
September 13, 2022

1. Call to Order

Chairperson Todd Batiste called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Todd Batiste, Chairperson
Maurice Clark, Vice Chairperson
Johanna Storm
Paul Sweitzer

Members Absent:

Brian Colin
Brad Catlett, Alternate
Anthony Parker, Alternate

Staff Present:

Lola Hazel, City Administrator

2. Discussion and possible action to consider a replat application from Unity Church of Arlington, being a replat of a portion of Lot 6, Block 5, generally located south of W. Mayfield Road and east of S. Bowen Road, with the approximate address being 3513 Bowen Road, Dalworthington Gardens.

- i. Public hearing**
- ii. Discussion and possible action**

Background information on this item: Section 10.02.004 of the City's Code of Ordinance states no land is to be subdivided in the city except by platting in compliance with Chapter 212 of the Texas Local Government Code and city ordinance, and no building permit shall be issued for construction of improvements on any property not platted.

The Unity Church of Arlington is replatting property on Bowen Road. A portion of the property is located in the city of Arlington which has been reviewed and approved. They are now submitting an application for the portion of property located in Dalworthington Gardens.

In accordance with Section 10.02.031, the city determined the plat application to be complete on May 25, 2022. In accordance with Section 10.02.094, the plat application was then forwarded to the city engineer for review. On August 10, 2022, the city engineer conducted his third and final review of the plat, determined the plat conforms with the City's subdivision ordinance, and recommended approval of the plat.

The city has notified all property owners within 200' and included information on how to provide public comments at both the planning and zoning meeting and city council meeting.

Local Government Code, Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirements of city ordinances. As such, staff recommends approval of this plat.

Chairperson Todd Batiste opened the public hearing at 6:04 p.m.

Ryan Williams, Graham & Associates: Spoke on behalf of the plat application.

With no one else desiring to speak, Chairperson Todd Batiste closed the public hearing at 6:05 p.m.

A motion was made by Commissioner Johanna Storm and seconded by Commissioner Paul Sweitzer to approve a replat application from Unity Church of Arlington, being a replat of a portion of Lot 6, Block 5, generally located south of W. Mayfield Road and east of S. Bowen Road, with the approximate address being 3513 Bowen Road, Dalworthington Gardens.

Motion carried by the following vote:

Ayes: Members Clark, Storm, and Sweitzer

Nays: None

3. Adjourn

The meeting was adjourned at 6:07 p.m.

Staff Agenda Report

Agenda Item: 3.

Agenda Subject: Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding mobile food units and mobile food establishments.

Background Information: Staff brought this ordinance to council to propose changes. The reason being is two different types of food trucks are defined in the ordinance, are treated completely different, and staff didn't understand the reasoning behind it. The following represent thoughts from council on desired changes.

- Combine definition so there is only one definition for “food truck” but make sure it still excludes human pushed or pulled cart.
- Allow both mobile food establishments and mobile food units outright in current zoning districts, but do not allow to stay overnight.
 - Overnight stay would require a special exception approval.
- Current allowed hours of operation are 7am-9pm.

Recommended Action/Motion: Approve changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding mobile food units and mobile food establishments.

OR

Suggest additional or different changes.

Attachments: Ordinance Sections for Mobile Food Units and Establishments

Sec. 14.02.092 Defined terms

Mobile food establishment. A vehicle mounted or a trailer or food concession apparatus **intended to be pulled by a vehicle** that provides a fee based, licensed food service operation that may require utility access in order to operate and is meant to be left in place longer than the time period permitted for a mobile food unit. A human pushed or pulled cart or trailer or mobile device is not a permissible form of a mobile food establishment.



Mobile food unit. **A self-contained, licensed, motorized vehicle,** fee based food service operation designed to be readily movable and commonly referred to as a “food truck.” A mobile food unit shall not require utility access in order to operate. A human pushed or pulled cart or trailer or mobile device is not a permissible form of mobile food unit.



MOBILE FOOD ESTABLISHMENT REGULATIONS

Division 8. Special Exceptions and Other Permits

Sec. 14.02.321 Special exceptions

(22)	Mobile food establishment.	B-2 and B-3
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MOBILE FOOD UNIT REGULATIONS

Sec. 14.02.172 “SF” residential district

(a) Permitted uses. A building or premises in this district shall be used only for the following purposes:

(7) Mobile food units are permitted under the following conditions:

- (A) The property owner has requested the services of the mobile food unit.
- (B) The mobile food unit may only provide goods and services to the property owner or the property owner's guests at the property owner's expense. No sales will be made to the general public.
- (C) Mobile food units may not obstruct traffic movement, or impair visibility or safety to the site.
- (D) Mobile food units must have a valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

Sec. 14.02.173 “MF” residential district

(4) Mobile food units are permitted under the following conditions:

- (A) The property owner has requested the services of the mobile food unit;
- (B) The mobile food unit may only provide goods and services to the property owner or the property owner's guests at the property owner's expense. No sales will be made to the general public.
- (C) Mobile food units may not obstruct traffic movement, or impair visibility or safety to the site.
- (D) Mobile food units must have valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

Sec. 14.02.174 “GH” residential district

(5) Mobile food units are permitted upon the following conditions:

- (A) The property owner has requested the services of the mobile food unit;
- (B) The mobile food unit may only provide goods and services to the property owner or the property owner's guests at the property owner's expense. No sales will be made to the general public.

(C) Mobile food units may not obstruct traffic movement, or impair visibility or safety to the site.

(D) Mobile food units must have valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

(Ordinance 2018-01, sec. 4, adopted 2/15/18)

Sec. 14.02.223 “B-2” business district

(a) Permitted uses. A building or premises in this district shall be used only for the following purposes:

(1) Any use permitted in the “B-1” district.

(2) Food service:

(E) **Mobile food unit**, upon certification by the zoning administrator (provided through permit approval) that the following conditions are met:

(i) Mobile food units may not park or operate on a public roadway;

(ii) Mobile food units must have written permission from property owner to use the property where the mobile food unit will be located.

(iii) Mobile food units must submit to the zoning administrator a basic site plan sketch showing the entire property and the location of the mobile food unit relative to the property boundaries, accesses, parking, fire lane(s), and any structures.

(iv) Mobile food units may only operate between the hours of 7:00 a.m. and 9:00 p.m. daily and are to be removed when not in operation.

(v) Mobile food units must be parked on improved surfaces and may not occupy required parking spaces, obstruct traffic movement, or impair visibility or safety to the site. Required parking spaces are those spaces needed to service the property where the mobile food unit is located as determined by the zoning administrator. In determining required parking spaces, the following will not be considered: the space used by the mobile food unit, a customer service area plus two additional parking spaces.

(vi) Mobile food units must have valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

(vii) Nothing related to the mobile food unit may be left at the location when the mobile food unit is not present.

(viii) All signage must be on or attached to the mobile food unit.

(ix) The zoning administrator's written confirmation of compliance with the above conditions shall be kept in the mobile food unit at all times of operation within the city.

Sec. 14.02.224 “B-3” business district

(a) Permitted uses. A building or premises in this district shall be used only for the following purposes:

(1) Any use permitted in the “B-2” district.

Staff Agenda Report

Agenda Item: 4.

Agenda Subject: Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding agrihood regulations.

Background Information: Council would like to begin the process of adding “agrihood” as an allowed use in city ordinances. The proposed additions to the comp plan are being provided. Bullet points are provided below on how this could be accomplished (taken directly from comp plan).

- Add a Planned Development Agrihood (PD-AH) use to the ordinances.
- Definition: An organized mixed-use community that integrates agricultural and food service commercial businesses, with residential uses, and open spaces that might be used as parks or community gardens.
- The Planned Development shall provide an orderly transition from commercial uses to the Large Lot Residential uses and incorporate suitable separation barriers with a preference to vegetated barriers in lieu of hardened barriers such as fences.
- Uses other than large lot residential uses shall be planned development.
- Two areas in PD-AH
 - Low Density Zone:
 - Includes the frontage along Roosevelt Drive and extending 200 feet to the east from the Roosevelt Drive right-of-way line
 - Shall maintain the Large Lot Residential uses
 - Agrihood Zone:
 - Includes the Bowen Road frontage and extending to the Low Density Zone.
 - May include Large Lot Residential uses but may also include a mixture of Medium Density Single Family Garden Homes, and Commercial Uses with a preference toward agricultural related businesses (vegetable and meat markets, farm and ranch supply, etc.) and restaurants.
 - Garden Home developments shall include 10 percent open space for parks and community gardens.
 - Mixed use within individual structures will be allowed provided such structures do not exceed two stories.
- Sample Use Matrix to Consider:
 - P = Permitted use
 - S = Specific use permit use

Agricultural use	P
Bed and breakfast	P
Boutique hotel	P
Brewpub	S
Dwelling units located above the ground floor	S
Farmers market	S
Fitness club, gymnasium, gymnastics, or similar use	P
Food and beverage retail sales	P
Garden home	S
Greenhouse or plant nursery	S
Grocery store	P
Hotel, full service	S

Office/retail	S
Pet store, kennel, animal boarding (no outside runs)	S
Private club	S
Restaurant or cafeteria (carry-out only) (no drive-through window or drive-in service)	P
Restaurant or cafeteria (indoor service) (no drive-through window or drive-in service)	P
Restaurant or cafeteria (with drive-through window or drive-in service)	S
Retail store (no drive-through service)	P
Retail store (with drive-through service)	S
Studios, photo, music, art, dance, dojo, health, etc.	P
Tavern/Bar	S
Winery	S

Recommended Action/Motion: Approve changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding agrihood regulations.

OR

Suggest additional or different changes.

Attachments: Agrihood Sections of Comp Plan

Agrihood Section from Comp Plan

Bowen Road Corridor Area (Agrihood Community)

The Bowen Road corridor will have a multi-use purpose. Its future development will focus on commercial as well as residential development. Existing large residential lots that have both Bowen and Roosevelt access may be subdivided to allow commercial development on Bowen Corridor only. These said lots shall remain residential on the Roosevelt side with no vehicular traffic connection between them.

One Planned Development Area of higher intensity use is designated along Bowen Road. The area on the east side of Bowen Road, south of Mayfield where property on both sides of Bowen Road is in the city limits of Dalworthington Gardens, would be an ideal location for an office or retail development, and an agrihood community.

The West Side of the Bowen Road corridor between Roosevelt Drive and Bowen Road from the Roosevelt Drive intersection to the California Lane intersection shall be designated as a Planned Development Agrihood Community.

Such a community shall be defined as an organized mixed-use community that integrates agricultural and food service commercial businesses, with residential uses, and open spaces that might be used as parks or community gardens.

Planned Developments shall recognize two distinct zones; the Low Density Zone which shall include the frontage along Roosevelt Drive and extending 200 feet to the east from the Roosevelt Drive right-of-way line, and the Agrihood Zone which shall include the Bowen Road frontage and extending to the Low Density Zone.

The Low-Density Zone shall maintain the Large Lot Residential uses. The Agrihood Zone may include Large Lot Residential uses but may also include a mixture of Medium Density Single Family Garden Homes, and Commercial Uses with a preference toward agricultural related businesses (vegetable and meat markets, farm and ranch supply, etc.) and restaurants. Garden Home developments shall include 10 percent open space for parks and community gardens. Mixed use within individual structures will be allowed provided such structures do not exceed two stories. The Planned Development shall provide an orderly transition from commercial uses to the Large lot Residential uses and incorporate suitable separation barriers with a preference to vegetated barriers in lieu of hardened barriers such as fences. Uses other than large lot residential uses shall be planned development.

The decisions made now by the City as to the type of uses permitted along Bowen Road as it passes the core of the City are surely critical to the future of Dalworthington Gardens. Although it may be possible to attract some limited retail uses to this corridor, it is believed that such development would likely not be of a character clearly compatible with the residential development along Roosevelt Drive and would almost certainly tend toward the sort of intermittent strip development seen along Pioneer Parkway. The most promising area is at the intersection of Mayfield/Bowen between the Rush Creek tributaries. The light there affords good traffic flow in all directions. It is also highly probable that indecisiveness in the land use designation for Bowen Road will inhibit the build-out of the area between Bowen and Roosevelt south of California Lane as large lot residential developments. Dalworthington Gardens is a very small city surrounded by a very large one. Build-out of the area within Bowen Road, Roosevelt Drive, and California Lane as large lot residential properties is highly desirable in order to maintain a critical mass of large lot residential properties and identity of DWG as having such attractive land use. This is the surest path to maintaining the property values of the residential property in the City.

Staff Agenda Report

Agenda Item: 5.

Agenda Subject: Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding garden home regulations.

Background Information: Council would like to begin the process of changing the garden home ordinance to match the Comp Plan. Below are thoughts provided by council and staff's comments on what current ordinance or Comp Plan notes.

* Possible garage entry orientation restrictions

- The council would like a rear garage orientation requirement considered with an alleyway for guest parking. Preferably no parking in front of structure or on street.

* Consider reducing somewhat the current minimum house size

- Current size requirement is 2,000 SF, and comp plan revision calls for 1,800 SF size requirement for each dwelling unit with density limited to a maximum of 5 units per acre.

* Should garden homes be limited to two stories and if so, what is a reasonable maximum height?

- Fire truck access should be considered when max height is set.

*Should the roof pitch requirement change to accommodate fire truck access for maximum height of structure?

- Current roof pitch requirement for garden homes is 8/12 roof pitch and not less than a 40-year quality architectural profile shingle.

* Should the minimum yard setback that adjoins another zoning district need to match that of the other district if the other district's set back is larger?

- Current garden home setback is smaller than other residential which means garden homes could be closer to an adjoining property.

YARDS (n-3) (min. in ft.)	
Front	15
Side - interior lot	5
Side - corner lot	15
Rear (n-4)	15
Rear - double frontage	5

* Is there a safety reason for ensuring more than one entrance/exit when there are more than X number of garden homes?

- The comp plan currently says this, "A secondary private access drive or private street should be provided to minimize the access points to the public street."

* Are any additional ordinances needed to ensure storm water is handled properly?

- Garden homes currently have a higher allowance of impervious surface coverage. **Other residential districts allow 40% max coverage.**

LOT	
Width (min. in ft.)	50
Coverage, building (max. % of lot area)	50
Coverage, impervious surface (max. % of lot area)	70

* Are parking requirements adequate and/or is there a need to state something about the minimum size for a two car garage in a note to the table or that on street parking does not count if guest spaces are also required?

- Current parking is 2 for garage, 2 guest spaces

* There is already a lot size minimum in the current ordinance. Are there further density or offsetting greenspace requirements that need to be added to align the GH zoning with the language in the working draft of the comp plan?

- Current lot area minimum size per dwelling unit is 6,000 square feet. Again, the comp plan calls for max density of 5 units per acre. One acre equals 43,560 square feet. If the dwelling unit is 1,800, account for greenspace and other requirements for the remaining square footage. A percentage could be added for green space. An example is the City’s mixed-use overlay district which requires 20% “landscaped open space”.

* Does there need to be a different road width minimum than is currently listed in the subdivision ordinances?

- Current road width per City Subdivision Ordinance:

Sec. 10.02.222 Streets, right-of-way

(a) The subdivider shall provide for or cause the dedication of right-of-way within the subdivision, as follows:

Major Streets	Right-of-Way Width as Approved by City Council
Collector	60 feet
Minor or local street	50 feet
Alley	20 feet

(b) The right-of-way, in any event, shall be of such width that side slopes, if required, would not be steeper than three (3) horizontal to one (1) vertical within the limits of the dedicated right-of-way.

Recommended Action/Motion: Approve changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding garden home regulations.

OR

Suggest additional or different changes.

**Attachments: Garden Home Ordinance Sections
Garden Home Section from Comp Plan**

Garden Home Ordinance

Sec. 14.02.042 Purposes of districts

(b) “GH” residential district (single-family). This district is designed to accommodate detached single-family dwellings in a medium density setting allowing for innovation in development designed to encourage individual home ownership either on platted conventional lots or in a clustered site-plan configuration.

Division 5. Residential District Regulations

Sec. 14.02.171 General provisions

(a) Table of standards. The standards contained in the following table shall govern the height, area, yard and parking requirements of residential and permitted nonresidential uses in the residential districts.

TABLE 14.02.171

	Districts				
	SF		MF		GH
Regulations	Residential	Nonresidential	Residential	Nonresidential	
HEIGHT (max. in ft.)	35 (n-1)	45 (n-1)	35 (n-1)	45 (n-1)	35
AREA (n-2)					
Lot area (min. per dwelling unit in sq. ft.)		None		None	6000
Single-family	21780		21780		
Multifamily			7200		
Living area (min. per dwelling unit in sq. ft.)					
	1250		800		2000
LOT					
Width (min. in ft.)	80	None	60	None	50
Coverage, building (max. % of lot area)	25	25	40	40	50
Coverage, impervious surface (max. % of lot area)	40	40	40	40	70
YARDS (n-3) (min. in ft.)					
Front	50	50	25	25	15
Side - interior lot	25	25	5	—	5
Side - corner lot	35	35	15	15	15
Rear (n-4)	25	25	10	10	15
Rear - double frontage	35	35	20	20	—

PARKING (min. spaces per dwelling unit)	2	n-5	2.25	n-5	Garage-2 Guests-2
SPACE - Landscaped open space (min. % of lot area)	–	20	–	20	

Notes to table 14.02.171:

1. In addition to the minimum yard requirements contained herein, each side and rear yard shall be increased an additional foot for each foot (or fraction thereof) the structure exceeds 35 feet in height; provided, that in no event shall the height of a building exceed by ten (10) feet the maximum height prescribed for such structure and district in table 14.02.171.
2. Lot area shall be exclusive of the means of vehicular access thereto, whether by public or private street or other access easement or way. Lots of 14,500 square feet or more but less than 21,780 square feet created by plat or deed and recorded in the office of the county clerk of Tarrant County before April 13, 1981, the effective date of this amendment, shall not be deemed nonconforming as to lot area.
3. Any single-family residential lot which on February 18, 1991, was classified “SF-2,” shall not be deemed nonconforming as to front and side yards if the lot has a front yard of not less than 35 feet and side yards of not less than 15 feet each (25 feet, if a corner lot). Lots platted and zoned for residential use which are “panhandle” lots, as herein defined, shall comply with the provisions of this table or [section 14.02.171\(d\)](#), whichever is more restrictive.
4. Any single-family residence constructed on a lot which was created by plat or replat recorded in the office of the county clerk of Tarrant County before March 1, 2002, shall not be deemed nonconforming as to minimum rear yard if such yard is not less than 15 feet.
5. Nonresidential parking is regulated by [division 9](#) of this article.

(2005 Code, sec. 17.5.01)

(b) Parking.

- (1) On any lot used for single-family residential purposes, there shall be provided two (2) covered vehicle parking spaces of not less than 180 square feet each, per dwelling unit.
- (2) On any lot used for multifamily residential purposes, there shall be provided 2.25 covered vehicle parking spaces per dwelling unit, complying with the standards prescribed in [division 9](#) of this article.
- (3) On any lot used for nonresidential purposes, parking and loading areas shall be provided complying with the standards of division 9 of this article.
- (4) All nonresidential parking and loading areas shall be screened from adjacent residential property. Parking or loading in a required yard is prohibited.

(c) Special standards. Panhandle lots shall conform to the following minimum requirements:

- (1) In calculating the lot area for the purpose of determining compliance with this section, including maximum building coverage and maximum impervious surface coverage, the area of the panhandle shall not be deemed a part of the lot.
- (2) All minimum yards shall be thirty (30) feet.
- (3) Maximum building coverage shall be 20%.
- (4) Maximum impervious surface shall be 30%.
- (5) No building, either primary or accessory, shall be located in either the panhandle or any required yard.

(Ordinance 2020-02, sec. 3, adopted 2/20/20)

Sec. 14.02.174 “GH” residential district

A building or premises in this district shall be used only for the following purposes under the standards herein contained:

- (1) In this district there shall be only garden homes and accessory buildings as elsewhere herein regulated.
- (2) Any building in this district shall meet the following design standards:
 - (A) The building shall be not less than 85% masonry. As used in this subsection, “masonry” includes: brick, stone or tile, hand-laid unit by unit; veneer simulations of the materials having the appearance of hand-laid units, when approved by the city; and, stucco when applied in accordance with building code standards therefor.
 - (B) The building shall have a minimum 8/12 roof pitch and not less than a 40-year quality architectural profile shingle.
- (3) Any development in the GH district shall be developed in accordance with a site plan meeting the requirements of developments having a PD overlay.
- (4) Uses allowed in GH and in other zoning classifications may be developed under a common PD plan meeting the procedural requirements of [division 7](#) of this article.

(2005 Code, sec. 17.5.04)

- (5) Mobile food units are permitted upon the following conditions:
 - (A) The property owner has requested the services of the mobile food unit;
 - (B) The mobile food unit may only provide goods and services to the property owner or the property owner's guests at the property owner's expense. No sales will be made to the general public.

(C) Mobile food units may not obstruct traffic movement, or impair visibility or safety to the site.

(D) Mobile food units must have valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

(Ordinance 2018-01, sec. 4, adopted 2/15/18)

Garden Homes section from Comp Plan

Medium Density Single Family Garden Homes

Medium density single family garden homes can be a component of the “Agrihood/Mixed District. Garden home development is intended to refer to high-quality residential units on smaller individually platted lots that provide common area open space or other amenities for the residents. These common areas should be designed to buffer the garden homes from the adjacent thoroughfare and even higher intensity uses and also to buffer any large lot residential lots near the development. A secondary private access drive or private street should be provided to minimize the access points to the public street. Such residential units should be clustered to facilitate buffering and to allow common area open space within the garden home development.

To assure appropriate high-quality developments, garden home developments must be subject to appropriate standards and an approved development plan. It is believed that density should be limited to a maximum of 5 units per acre with dwelling units each containing a minimum of 1800 square feet of living space. Additional stringent design standards should be adopted covering both building standards (such as approved masonry exteriors, garage layouts, and similar requirements) and development layout.