



**Monday, January 13, 2025
Planning and Zoning Commission Meeting**

**Council Chambers
3815 Sachse Road, Building B
6:00 PM**

Planning and Zoning Commission meetings are streamed live and available on-demand (<https://sachsetx.swagit.com/live>).

A. Meeting Opening

1. Call to Order: The Planning and Zoning Commission of the City of Sachse will hold a regular meeting on Monday, January 13, 2025, at 6:00 PM to consider the following items of business:
2. Invocation and Pledge of Allegiance to the U.S. and Texas Flags.

B. Public Comment

The public is invited to address the Board regarding any topic not already on the agenda for action or public hearing. **Comments regarding any discussion-only items on the agenda may be addressed during this Public Comment section.** The time limit is three minutes per speaker. A Public Comment Card should be presented to the acting secretary prior to the meeting. According to the Texas Open Meetings Act, the Board is prohibited from discussing any item not posted on the agenda but will take comments under advisement.

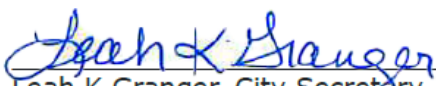
C. Action Items

Action items are for Board discussion and consideration for action. **The presiding officer will invite comments before the Board votes.** A Public Comment Card should be given to the acting secretary prior to the start of the meeting.

1. Consider approving the December 9, 2024, meeting minutes.
2. Conduct a public hearing to consider approval of an ordinance amending the Comprehensive Zoning Ordinance and map, to grant a change of zoning from Residential-5 District (R-5) to Neighborhood Shopping District (C-1) on an approximately 1.81-acre tract of land located at 5206 Ben Davis Road, within Sachse city limits.
3. Conduct a public hearing to consider and act on an ordinance amending Chapter 11 Zoning, Section 11-3, Subsection C & Chapter 11A Zoning Ordinance, Article 12, Section 3; providing a savings clause; providing for a penalty of fine not to exceed two thousand dollars (\$2,000.00); and providing for an effective date.

D. Adjournment

I, the undersigned authority, do hereby certify that this notice of a public meeting was posted in accordance with the regulations of the Texas Open Meetings Act and was posted on the bulletin board, an accessible location at Sachse City Hall.


Leah K Granger, City Secretary

Posted: 01/08/2025 by 5 PM | Removed: _____

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Logan Thatcher, ADA Coordinator, via phone at 972-495-1212, via email at lthatcher@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.

C. Action Items

Subject: 1. Consider approving the December 9, 2024, meeting minutes.

Meeting January 13, 2025 - Planning and Zoning Commission Meeting

Access Public

Type Action, Minutes

Fiscal Impact None

Recommended Action Approve the minutes as presented.

Goals

BACKGROUND

Minutes from the December 9, 2024, Council regular meeting.

POLICY CONSIDERATIONS

There are no policy considerations affiliated with this item.

RECOMMENDATION

Approve the minutes as presented.

File Attachments

1. Planning&ZoningCommission_Regular_Minutes_12.09.2024-unsigned

PLANNING AND ZONING COMMISSION OF THE CITY OF SACHSE DECEMBER 9, 2024, MEETING MINUTES

The Planning and Zoning Commission of the City of Sachse held a regular meeting on Monday, December 9, 2024, at 6:00 PM at Sachse City Hall, 3815-B Sachse Road. Those present were: Scott Ohman, Butch Kemper, MirHadi Taqui, Tiffany Anderson.

Those absent were: Daniel Betten, Brian Cox, Travis Mondok.

A. Meeting Opening

1. Call to Order: The Planning and Zoning Commission of the City of Sachse will hold a regular meeting on Monday, December 9, 2024, at 6:00 PM to consider the following items of business:

Vice Chairperson Ohman called the meeting to order at 6:01 PM.

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

Mr. Kemper offered the invocation and Mr. Ohman led the pledges.

3. Consider and elect a Chairperson and Vice Chairperson of the Planning and Zoning Commission.

Mr. Ohman made a motion to elect Scott Ohman as Chairperson, Butch Kemper as Vice Chairperson, and Tiffany Anderson as Secretary of the Planning and Zoning Commission. Mr. Kemper seconded the motion, and it carried 4 - 0. None voted against.

B. Public Comment

The public is invited to address the Board regarding any topic not already on the agenda for action or public hearing. **Comments any discussion-only items on the agenda may be addressed during this Public Comment section.** The time limit is three minutes per speaker. A Public Comment Card should be presented to the acting secretary prior to the meeting. According to the Texas Open Meetings Act, the Board is prohibited from discussing any item not posted on the agenda but will take comments under advisement.

No public comments were offered.

C. Action Items

Action items are for Board discussion and consideration for action. **The presiding officer will invite comments before the Board votes.** A Public Comment Card should be given to the acting secretary prior to the start of the meeting.

1. Consider approving the October 28, 2024, meeting minutes.

Mr. Kemper made a motion to approve the minutes as presented. Ms. Anderson seconded the motion, and it carried 4 - 0. None voted against.

2. Conduct a public hearing to consider approval of an ordinance amending the Comprehensive Zoning Ordinance and map, to grant a change of zoning from Residential-5 District (R-5) to Neighborhood Shopping District (C-1) on an approximately 1.81 acre tract of land located at 5206 Ben Davis Road, within Sachse city limits. **This item will be postponed to the January 13, 2025, Planning and Zoning Commission meeting.**

Chairperson Ohman opened the public meeting at 6:06 PM. Mr. Ohman made a motion to postpone public hearing to the January 13 Planning and Zoning Commission meeting. Mr. Kemper seconded the motion, and it carried 4 - 0. None voted against.

D. Adjournment

Chairperson Ohman adjourned the meeting at 6:07 PM.

Taylor "Scott" Ohman, Chairperson

ATTEST:

Tiffany Anderson, Secretary

C. Action Items

Subject:	2. Conduct a public hearing to consider approval of an ordinance amending the Comprehensive Zoning Ordinance and map, to grant a change of zoning from Residential-5 District (R-5) to Neighborhood Shopping District (C-1) on an approximately 1.81-acre tract of land located at 5206 Ben Davis Road, within Sachse city limits.
Meeting	January 13, 2025 - Planning and Zoning Commission Meeting
Access	Public
Type	Action, Discussion, Public Hearing
Fiscal Impact	None
Recommended Action	Approve an ordinance amending the Comprehensive Zoning Ordinance and map as presented.
Goals	Meet the public safety needs of a growing citizen; student; and business population.

BACKGROUND

- The subject property consists of one lot and is operating as a temple for the American Imams Academy.
- Zone change request is from R-5 Single Family Residential District to C-1 Neighborhood Shopping District.
- Applicant: Amy Designers
- Owner: 180 Degree Architects LLC
- Size: Approximately 1.81 acres
- The applicant is requesting the zoning change to accommodate the construction of a 2-3 story expansion that would add classrooms and meeting rooms.
- The property is bordered by streets to the west and south, a residential subdivision on the east boundary with an alley separating the two uses, and commercially zoned property to the north.
- This item was postponed at the December 09, 2024, Planning and Zoning Commission meeting. The public hearing remained open.

POLICY CONSIDERATIONS

- The Future Land Use Plan (FLUP) designates the subject property for Public Uses, which are described as “Public buildings and offices, semi-public facilities including public and private schools, churches, and historical buildings.”
- State law requires that zoning decisions “must be adopted in accordance with a Comprehensive Plan.”
- The FLUP supports the proposed rezoning request.

RECOMMENDATION

Approve an ordinance amending the Comprehensive Zoning Ordinance and map as presented.

File Attachments

1. Presentation_Zoning Ordinance 24-01_5206 Ben Davis Rd
2. Exhibit A - Legal Description ZO 24-01
3. Exhibit B - Zoning Exhibit ZO 24-01

5206 Ben Davis Road Rezoning Request

Planning and Zoning Commission

January 13, 2025



Request

Conduct a public hearing to consider and act on an ordinance amending the Comprehensive Zoning Ordinance and map, to grant a change of zoning from Residential-5 District (R-5) to a Neighborhood Shopping District (C-1) on an approximately 1.81-acre tract of land of the Church of Christ Addition Lot 1, Block 1 subdivision, City of Sachse, Dallas County, Texas, more particularly described in Exhibit "A" and located at 5206 Ben Davis Road.

Project Information

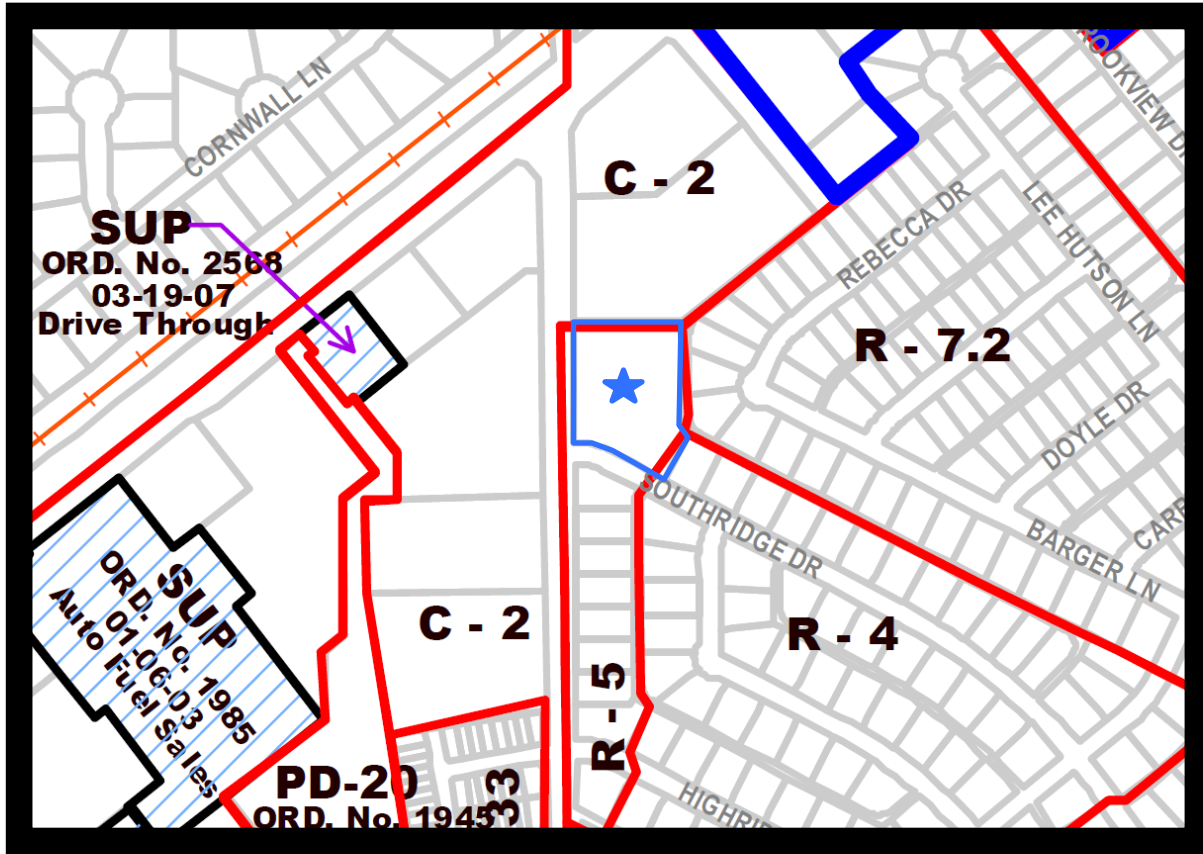
- Proposal to rezone property from R-5 Single Family Residential District to C-1 Neighborhood Shopping District
- Applicant: Amy Designers
- Owner: 180 Degree Architects LLC
- Size: Approximately 1.81 acres
- Site Attributes: Property is currently one lot and is operating as a temple for the American Imams Academy. The applicant is requesting the zoning change to accommodate the construction of a 2-3 story expansion that would add classrooms and meeting rooms.

Aerial Map

The property is located at 5206 Ben Davis Road, within Sachse city limits.



Zoning Map



The property is zoned R-5.
The blue star indicates the
subject property.

District Standards

Proposed:

C-1 Neighborhood Commercial

- Maximum height: 3.5 stories or 40' whichever is less
- Front setback: 25' minimum
- Side setback: 25' adjacent to Southridge Dr
- Rear setback: 25' where adjacent to residential
- Max coverage: N/A

Existing:

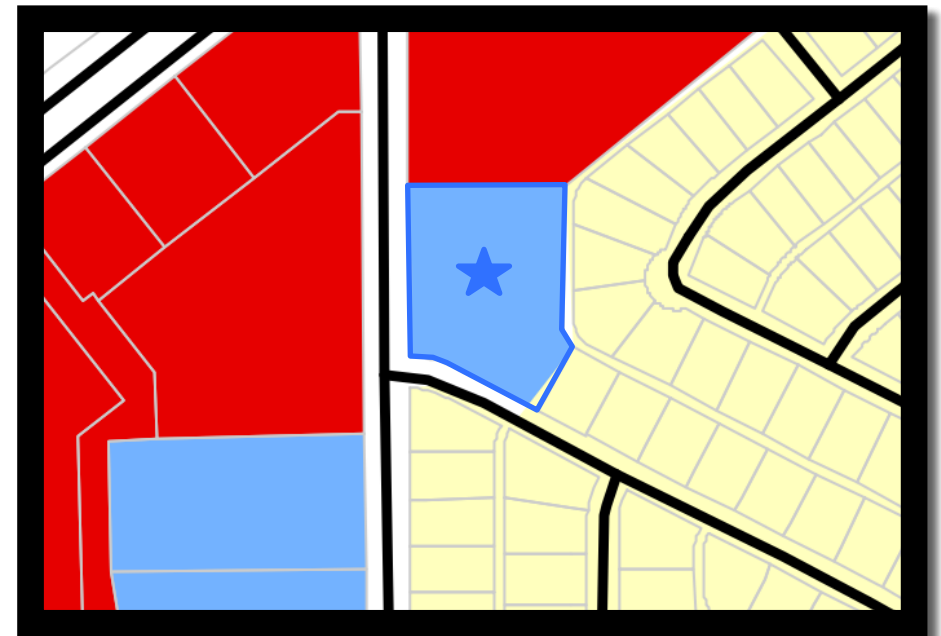
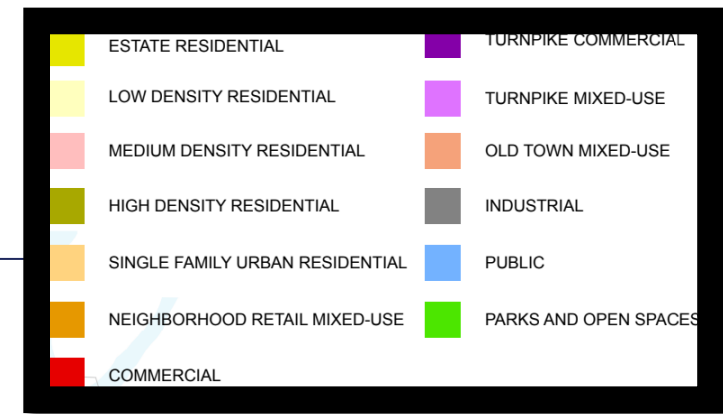
R-5 Single Family Residential

- Maximum height: 1.5 stories or 25' whichever is less
- Front setback: 25'-45'
- Side setback: 10% of lot width at the BL
- Rear setback: 25' or 20% of lot depth whichever is less
- Max coverage: 25%



FLUP

- The Future Land Use Plan (FLUP) designates the subject property for Public Uses, which are described as “Public buildings and offices, semi-public facilities including public and private schools, churches and historical buildings”.
- State law requires that zoning decisions *“must be adopted in accordance with a Comprehensive Plan”*.
- The FLUP supports the proposed rezoning request.



Staff Recommendation

Staff recommends approval of the proposed rezoning request for the following reasons:

- The proposed rezoning request is consistent with the goals and objectives of the Comprehensive Plan and is in compliance with the Future Land Use Plan.
- The recommendation of the Planning & Zoning Commission will be considered by the City Council at their February 17, 2025, regular meeting.

EXHIBIT A

AREA TO BE REZONED:

Being a lot, tract or parcel of land situated in the Robert McCullough Survey, Abstract No. 928, City of Sachse, Dallas County, Texas, and being Lot 1, Block 1 of Church of Christ Addition, an addition to the City of Sachse, Dallas County, Texas, according to the map thereof recorded in Volume 90050, Page 3164, Map Records, Dallas County, Texas, same being a tract of land conveyed to 180 Degree Architects LLC, by deed recorded in Instrument No. 202100329942, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point found for corner, said corner being the intersection of the North right of way line of Southridge Drive (50 foot right of way) and the East right of way line of Ben Davis Road (variable width right of way);

THENCE North 00 degrees 05 minutes 51 seconds East, along the East right of way line of said Ben Davis Road, a distance of 278.53 feet to a point for corner, said corner being along the South line of Lot 2, Block A of Ben Davis Crossing Addition, an addition to the City of Sachse, Dallas County, Texas, according to the map thereof recorded in Instrument No. 200503521722, Map Records, Dallas County, Texas, from which a 1/2 inch iron rod found bears, South 14 degrees 22 minutes 56 seconds West, a distance of 2.77 feet for witness, from which a 1/2 inch iron rod found bears, South 89 degrees 49 minutes 30 seconds West, a distance of 2.56 feet for witness;

THENCE North 89 degrees 49 minutes 30 seconds East, along the South line of said Ben Davis Crossing Addition, a distance of 247.91 feet to a point for corner, said corner being along a West right of way line of a 15 foot alley, from which a 1/2 inch iron rod found bears, South 40 degrees 33 minutes 26 seconds West, a distance of 0.32 feet for witness;

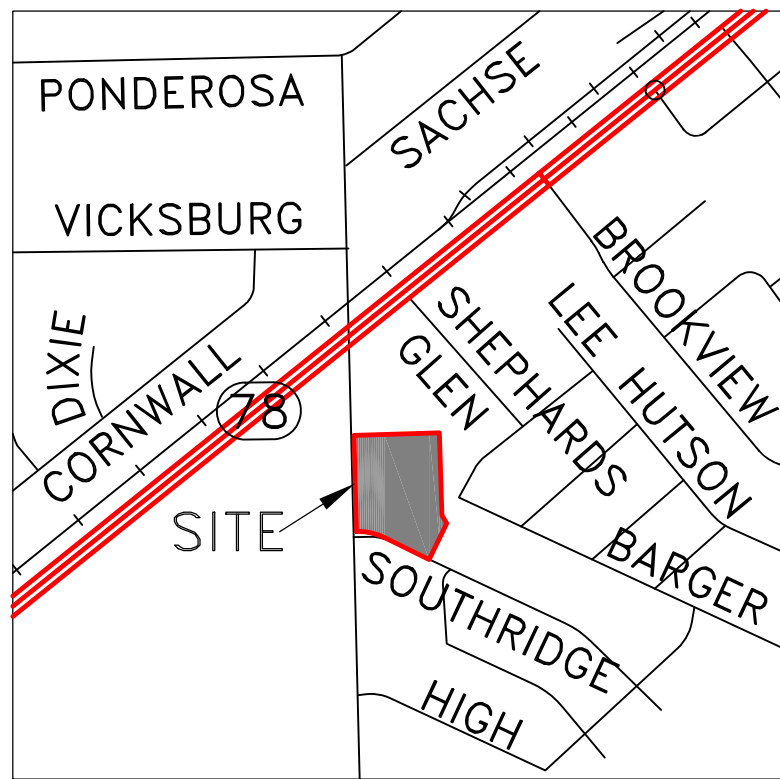
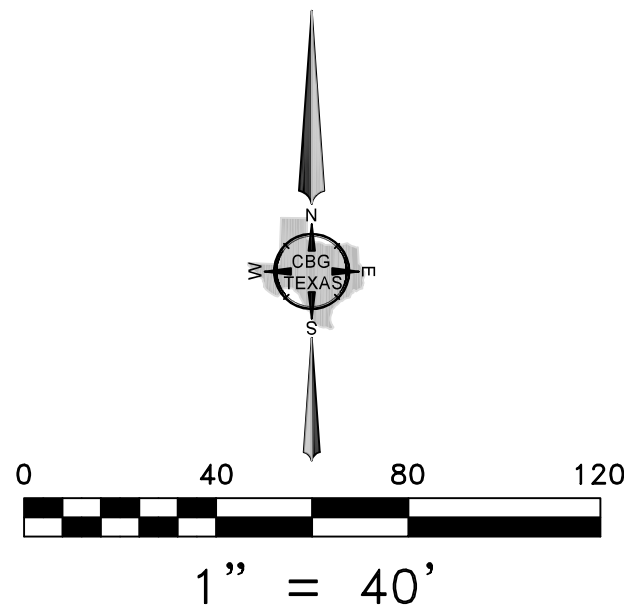
THENCE South 00 degrees 04 minutes 39 seconds East, along the West right of way line of said 15 foot alley, passing a 1/2 inch iron rod found on line at 3.06 feet, a total distance of 239.09 feet to a point for corner;

THENCE South 29 degrees 43 minutes 32 seconds East, along the Southwest right of way line of said 15 foot alley, a distance of 27.57 feet to a point for corner, said corner being the North corner of Lot 4, Block 1 of Southridge Estates No. 1, an addition to the City of Sachse, Dallas County, Texas, according to the map thereof recorded in Volume 83223, Page 6763, Map Records, Dallas County, Texas, from which a 1/2 inch iron rod found bears, North 09 degrees 57 minutes 20 seconds East, a distance of 0.78 feet for witness;

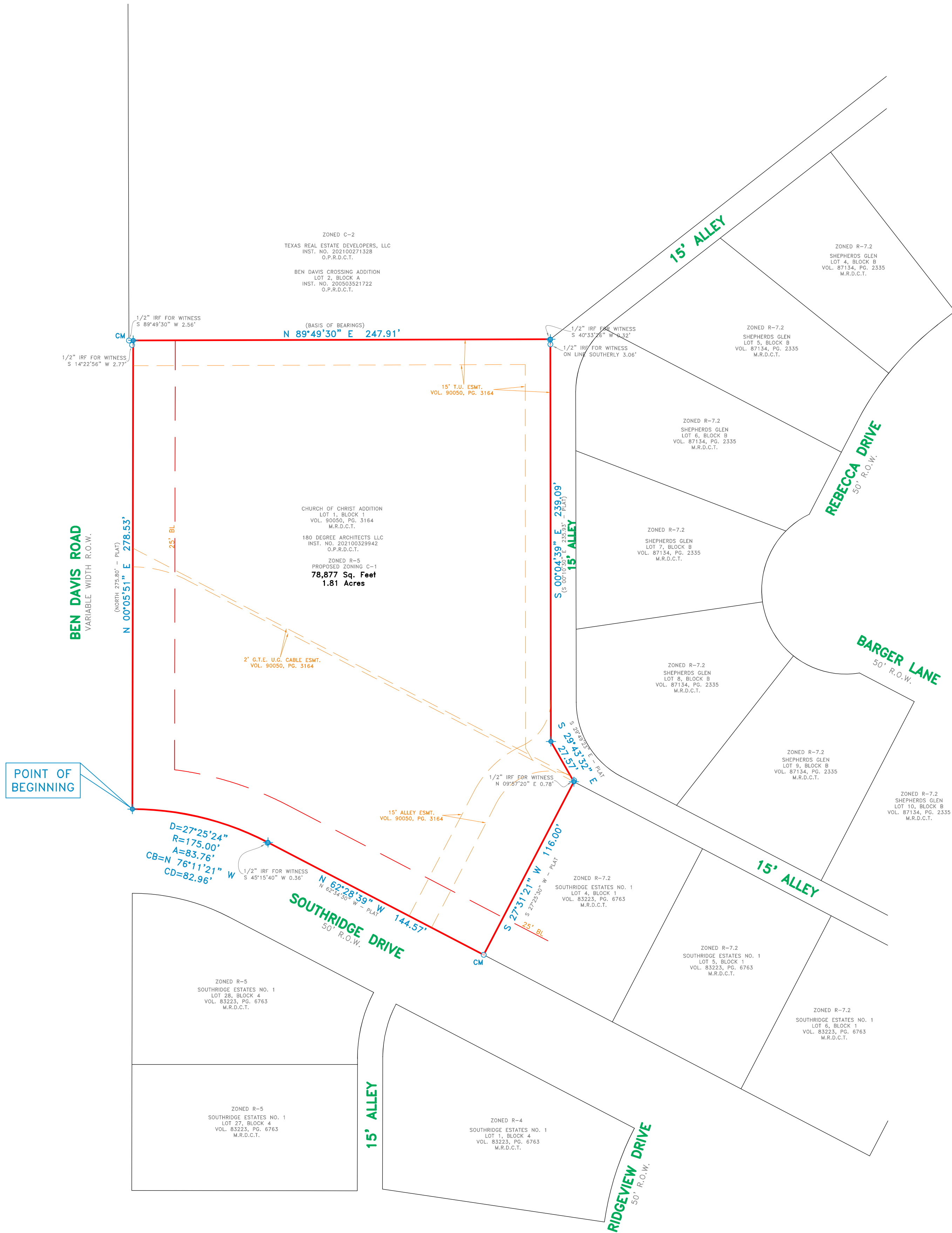
THENCE South 27 degrees 31 minutes 21 seconds West, along the Northwest line of said Lot 4, Block 1, a distance of 116.00 feet to a 1/2 inch iron rod found for corner, said corner being along the Northeast right of way line of said Southridge Drive;

THENCE North 62 degrees 28 minutes 39 seconds West, along the Northeast right of way line of said Southridge Drive, a distance of 144.57 feet to a point for corner, and being the beginning of a tangent curve to the left, with a radius of 175.00 feet, a delta angle of 27 degrees 25 minutes 24 seconds, a chord bearing of North 76 degrees 11 minutes 21 seconds West, and a chord length of 82.96 feet;

THENCE along said curve to the left, along the North right of way line of said Southridge Drive, an arc length of 83.76 feet to the POINT OF BEGINNING and containing 78,877 square feet or 1.81 acres of land.



VICINITY MAP
NOT TO SCALE



- LEGEND:**
- ⊕ POINT FOR CORNER
 - 1/2 INCH IRON ROD FOUND
 - CM CONTROLLING MONUMENT
 - ESMT. EASEMENT
 - VOL. VOLUME
 - PG. PAGE
 - INST. NO. INSTRUMENT NUMBER
 - SQ. FT. SQUARE FEET
 - R.O.W. RIGHT-OF-WAY
 - D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
 - M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

NOTES:
BEARINGS, EASEMENTS AND BUILDING LINES ARE BY
RECORDED PLAT UNLESS OTHERWISE NOTED.

AREA TO BE REZONED:
Being a lot, tract or parcel of land situated in the Robert McCullough Survey, Abstract No. 928, City of Sachse, Dallas County, Texas, and being Lot 1, Block 1 of Church of Christ Addition, an addition to the City of Sachse, Dallas County, Texas, according to the map thereof recorded in Volume 90050, Page 3164, Map Records, Dallas County, Texas, same being a tract of land conveyed to 180 Degree Architects LLC, by deed recorded in Instrument No. 202100329942, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point found for corner, said corner being the intersection of the North right of way line of Southridge Drive (50 foot right of way) and the East right of way line of Ben Davis Road (variable width right of way);

THENCE North 00 degrees 05 minutes 12 seconds East, along the East right of way line of said Ben Davis Road, a distance of 278.53 feet to a point for corner, said corner being along the South line of Lot 2, Block A of Ben Davis Crossing Addition, an addition to the City of Sachse, Dallas County, Texas, according to the map thereof recorded in Instrument No. 200503521722, Map Records, Dallas County, Texas, from which a 1/2 inch iron rod found bears, South 14 degrees 22 minutes 56 seconds West, a distance of 2.77 feet for witness, from which a 1/2 inch iron rod found bears, South 89 degrees 49 minutes 30 seconds West, a distance of 2.56 feet for witness;

THENCE North 89 degrees 49 minutes 30 seconds East, along the South line of said Ben Davis Crossing Addition, a distance of 247.91 feet to a point for corner, said corner being along a West right of way line of a 15 foot alley, from which a 1/2 inch iron rod found bears, South 40 degrees 33 minutes 26 seconds West, a distance of 0.32 feet for witness;

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THENCE North 62 degrees 28 minutes 39 seconds West, along the Northeast right of way line of said Southridge Drive, a distance of 144.57 feet to a point for corner, and being the beginning of a tangent curve to the left, with a radius of 175.00 feet, a delta angle of 27 degrees 25 minutes 24 seconds, a chord bearing of North 76 degrees 11 minutes 21 seconds West, and a chord length of 82.96 feet;

THENCE along said curve to the left, along the North right of way line of said Southridge Drive, an arc length of 83.76 feet to the POINT OF BEGINNING and containing 78,877 square feet or 1.81 acres of land.



Bryan Connally

BRYAN CONNALLY 07/26/2024
R.P.L.S. NO. 5513

EXHIBIT B - ZONING EXHIBIT
CHURCH OF CHRIST ADDITION
LOT 1, BLOCK 1
BEING A TRACT OF LAND SITUATED IN THE
ROBERT MCCULLOUGH SURVEY, ABSTRACT NO. 928
CITY OF SACHSE, DALLAS COUNTY, TEXAS
78,877 SQ.FT. / 1.81 ACRES
DATE OF PREPARATION 07-24-2024

OWNER: 180 DEGREE ARCHITECTS LLC
5206 BEN DAVIS ROAD
SACHSE, TEXAS 75048
419-509-5533



PLANNING & SURVEYING
Main Office
1413 E. IH-30, Ste. 7
Garland, TX 75043
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgtxl.com

SCALE: 1"=40' / DATE: 07/24/2024 / JOB NO. 2117960-01 / DRAWN BY: TO

C. Action Items

Subject:	3. Conduct a public hearing to consider and act on an ordinance amending Chapter 11 Zoning, Section 11-3, Subsection C & Chapter 11A Zoning Ordinance, Article 12, Section 3; providing a savings clause; providing for a penalty of fine not to exceed two thousand dollars (\$2,000.00); and providing for an effective date.
Meeting	January 13, 2025 - Planning and Zoning Commission Meeting
Access	Public
Type	Action, Discussion, Public Hearing
Fiscal Impact	None
Recommended Action	Approve the proposed zoning ordinance revisions.
Goals	Provide excellent government services to Sachse citizens.

BACKGROUND

The maintenance of existing ordinances is considered routine in order to provide a healthy and functioning regulatory framework that meets the needs of the community. Currently, the City's zoning notice requirements are out of alignment with State standard and best practices for municipalities on zoning cases. As such, staff is proposing the following updates to the Zoning ordinance:

- Amend written notice requirement of zoning public hearing notices from 1,000 feet to 200 feet in accordance with state law; and
- Add the requirement for the placement of zoning public hearing signs on property for requested zoning cases.

The ongoing maintenance of regulations and the streamlining of processes and provisions are identified as tasks in the City's 2017 Comprehensive Plan.

POLICY CONSIDERATIONS

Facilitating development within Sachse by enacting standards that align with state law and the vision established by the City's Comprehensive Plan.

Providing ongoing maintenance of City ordinances.

RECOMMENDATION

Approve the proposed zoning ordinance revisions.

File Attachments

1. Presentation_Zoning Notice Requirement Amendment
2. Ordinance_Planning and Zoning Commission_Ch. 11 Zoning_REDLINE
3. Ordinance_Planning and Zoning Commission_Ch. 11 Zoning

Zoning Notice Requirement Amendment

Planning & Zoning Commission
January 13, 2025



Request

Conduct a public hearing to consider and act on an ordinance amending Chapter 11 Zoning, Section 11-3, Subsection C & Chapter 11A Zoning Ordinance, Article 12, Section 3

Background

- The ongoing maintenance of regulations and the streamlining of processes and provisions are identified as tasks in the City's 2017 Comprehensive Plan.
- Proposed changes include amendments to the City's zoning ordinance.

Proposed Changes

Amend written notice requirement from 1,000 feet to 200 feet

- State law requires that zoning and public hearing notices be sent to all persons owning property within 200 feet of the property being rezoned.
- This will align notice requirements with state law as well as reduce mailing costs and staff time.

Add requirement for the placement of zoning signs on property

- To provide for better overall notification, the creation of the requirement that zoning signs be placed on the subject property along the right-of-way would be added.
- A standardized format will be provided for the applicant to follow, and it will be their responsibility to place and maintain all required signage throughout the public hearing process.

Zoning Signs



- Creation of standardized format
- Applicant responsible for contracting with sign company to create and place signs on property
- Notarized affidavit required confirming signs were placed on property within specified timeframe

Recommendation & Next Steps

The recommendation of the Planning & Zoning Commission will be considered by the City Council at their January 21, 2025, regular meeting.

ORDINANCE NO. O-2025-

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 11 “ZONING”, SECTION 11-3 “PLANNING AND ZONING COMMISSION,” SUBSECTION C “RULES AND REGULATIONS,” BY MODIFYING PARAGRAPH 2 RELATED TO PUBLIC HEARING NOTICE DISTANCE REQUIREMENT, ADDING A NEW PARAGRAPH 3 RELATED TO ZONING CHANGE SIGN POSTING REQUIREMENTS, AND RECODIFYING THE FORMER PARAGRAPHS 3 THROUGH 11 TO THE NEW PARAGRAPHS 4 THROUGH 12; PROVIDING A CONFLICTS CLAUSE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That the City of Sachse Code of Ordinances is amended by amending Chapter 11 “Zoning”, Section 11-3 “Planning and zoning commission,” Subsection C “Rules and regulations,” by modifying paragraph 2, adding a new paragraph 3, and recodifying the former paragraphs 3 through 11 to the new paragraphs 4 through 12 to read in its entirety as follows:

**“CHAPTER 11
ZONING**

...

§ 11-3 Planning and zoning commission.

A. ...

C. Rules and regulations. The following rules and regulations are hereby adopted by the city for the making of applications for zoning changes and for the handling of public hearings before the city planning and zoning commission and the city council:

- (1) Applications for zoning changes must be made in writing and filed with the office of development services on a form approved by the city manager or his/her designee. The form to be used in making the application shall contain such information as may be required by the city manager or his/her designee.
- (2) Written notice of the public hearing shall be sent to property owners as required by law prior to the hearing by the planning and zoning commission. The notice shall

be mailed at least ten days prior to the hearing to all owners of property affected by the proposed change in the zoning by sending such notices to all persons owning property within 200 feet of the area of the proposed change of zoning. The notice shall be sent to persons whose names appear on the current tax roll.

- (3) All zoning changes or amendments, including zoning, rezoning, amendments to planned developments, specific use permits, and the like, shall be required to have an official sign posted prior to planning and zoning commission consideration and the sign maintained throughout the zoning change process.
- (a) The director of development services, or designee shall have the authority to determine if the notice posting on the subject property met the intent of the requirements contained herein.
- (b) Process. The following requirements shall apply to the posting of a zoning change sign:
- (i) The applicant shall be responsible for posting the required number of notification signs on the subject property at least seven (7) calendar days prior to the planning and zoning commission consideration of the application and for maintaining the required signs, until consideration by the city council ~~throughout the zoning change process~~.
- (ii) The applicant shall furnish an affidavit to the development services department no earlier than ~~on the Monday at~~ 8:00 a.m. on the seventh (7th) calendar day, ~~one week~~ prior to the ~~Monday~~ planning and zoning commission meeting, and no later than ~~by~~ 12:00 p.m. (noon) on the Wednesday fifth (5th) calendar day prior to the ~~Monday~~ planning and zoning commission meeting at which the public hearing is scheduled, certifying that the required sign was posted on the subject property on or before the seventh day prior to said commission meeting. A picture of the zoning sign(s) placed on the property shall be provided to the development services department for permanent record.
- (iii) Failure to post the sign at least seven (7) days prior to the planning and zoning commission public hearing shall result in the postponement of the zoning change consideration by the commission. The applicant shall be subject to an additional fee to republish and/or re-notify due to such postponement.
- (c) Maintenance of zoning change signs.

- (i) The applicant shall be responsible for maintaining the sign on the subject property throughout the zoning change process. The city is not responsible for monitoring the required zoning change signs.
 - (ii) Should the city discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, a representative of the development services department shall contact the applicant to investigate and, if needed, correct the situationposting. An affidavit from the applicant certifying that the applicant has corrected the posting shall indicate that the intent of the posting requirement was met.
 - (iii) Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to repair or replace damaged or missing signs upon notification.
 - (iv) The applicant shall be responsible for removing the sign from the subject property within two weeks of the final action by the city council.
- (d) Sign specifications: All required zoning change signs shall be official city signs.
- (i) Zoning change signs shall be obtained through a designated contractor.
 - (ii) Costs of procuring, installing or replacing signs shall be at the applicant's expense.
 - (iii) All required signs shall be approximately four feet (4 ft.) by four feet (4 ft.) in size, as approved by the director of development services.
 - (iv) All required signs shall state the requested action, a telephone number at the city where additional information may be requested, and other information deemed relevant, as may be needed and as approved by the director of development services.
- (e) Sign locations.
- (i) All required signs shall be posted in unobstructed view on private property and in a manner in which they can be clearly read from the public right-of-way.

- (ii) On tracts of land with frontage on public right-of-way greater than 250 feet, additional signs shall be posted so that each sign is no greater than approximately 200 feet apart.
 - (iii) On corner lots, a single sign may be posted at the intersection of the two streets if the frontage on either street does not exceed 250 feet.
- (4) The planning and zoning commission may investigate such application before or after public hearing so that the members may be fully acquainted with the subject property and the surrounding area. At the hearing, proponents and opponents shall be given full and adequate opportunity to present their respective views and the planning and zoning commission will, from their personal inspection, and evidence presented, makes its recommendation to the city council as to whether or not the zoning change or special use should be granted or denied, or any other disposition which the planning and zoning commission may deem proper. It shall be the duty of the chairman of the planning and zoning commission, or in his absence, the vice-chairman, assisted by the secretary and members of the planning and zoning commission present at the hearing, to prepare a report in writing, which shall consist of a resume of the evidence head by the planning and zoning commission and any facts which the planning and zoning commission may have gained by personal inspection of the premises and surrounding area involved, and to which shall be attached the recommendation of the planning and zoning commission shall then be filed with the city secretary for presentation to the city council.
- (5) When the planning and zoning commission has recommended that the application for a change of zoning be denied, the development services office shall notify the applicant of the recommendation of the planning and zoning commission and advise the applicant that if the applicant desires the matter to be presented to the city council for its consideration, the applicant shall notify the development services office within 30 days of his desire that the case be submitted to the city council for its consideration. In the event the applicant does not notify the office of development services in writing of his desire that the case be submitted to the city council for its consideration, no further action shall be taken. If such notice is given to the office of development services, the office of development services shall schedule the case for a hearing before the city council. Prior to the hearing before the city council, notice of such proposed hearing shall be published in the official newspaper of the city one time, at least 15 days prior to date of the hearing, such notice to give the time and place of the hearing, a description of the property, information as to the request made by the applicant and the recommendation of the planning and zoning commission. Prior to the hearings before the city council, the development services office shall deliver to the city council the report and recommendation of the planning and zoning commission.

- (6) At the time of the hearing before the city council, the applicant and opposition shall be given an opportunity to be heard in connection with the proposed change of zoning. After both the applicant and the opposition have been heard, the public hearing will be closed. After closing of the public hearing, the city council shall make a decision as to whether or not the proposed zoning change should be made as requested, or should be made in some modified form, or whether it should be denied with or without prejudice. In the event the city council votes to grant a zoning change a written ordinance shall be prepared for submission to the city council. No zoning change shall become effective until after a written ordinance granting such change has been prepared and duly adopted by the city council, and the caption of said ordinance published in the official newspaper, as the law in such cases provides.
- (7) Any zoning matter acted upon by the planning and zoning commission will not again be considered for a period of one year, except:
 - (a) At the request of, referral back or a denial without prejudice from the city council.
- (8) Action by the planning and zoning commission shall be considered only as a recommendation that the proposed zoning change be granted or denied. Any action or recommendation made by the planning and zoning commission shall be governed by the provisions of article 1011a or 1011j of Vernon's Revised Civil Statutes and the Comprehensive Zoning Ordinance of the city.
- (9) In the event a protest against such zoning change has been filed with the city secretary, duly signed by the owners of 20 percent or more either of the area included in the zoning change or of the land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, such amendment shall not become effective except by a three-fourths vote of the governing body.
- (10) In the event a request for zoning change to the planning and zoning commission is withdrawn following placement on the agenda thereof, said request shall be deemed disapproved and shall be so stated in the minutes.
- (11) In the event a recommendation for approval is forwarded to the city council by the planning and zoning commission and said request is withdrawn after placement on the city council agenda, said request shall be deemed disapproved and shall be so stated in the minutes.
- (12) In the event any request for zoning change is denied by vote of the city council or is denied by virtue of the provisions in subsections C(9) or C(10) of this section, said request shall not be resubmitted or considered by the planning and zoning

commission or the city council for a period of one year. Said period shall begin to run on the date any such disapproval is entered in the minutes by the city secretary.

...”

SECTION 2. That the City of Sachse Code of Ordinances is amended by amending Chapter 11 “Zoning”, Exhibit 11A "Zoning Ordinance", Article 12 “Changes and Amendments” by amending Section 3 “Public hearing before planning and zoning commission” to read as follows:

**“CHAPTER 11
ZONING**

...

**EXHIBIT 11A
ZONING ORDINANCE**

...

**Article 12
CHANGES AND AMENDMENTS**

...

§ 3 Public hearing before planning and zoning commission.

3.1. The planning and zoning commission shall hold a public hearing on any application for any amendments or change prior to making its recommendation and report to the city council. When any such amendment or change relates to a change in classification or boundary or a zoning district, written notice of public hearing before the planning and zoning commission on the proposed amendment or change shall be mailed to all owners of real property lying within ~~1,000~~200 feet of the property on which the change is requested. Such notice shall be given not less than ten days before the date set for hearing by depositing in the mail such notice properly addressed and postage paid to each taxpayer as the ownership appears on the last approved city tax roll. When any such amendment relates to a change of a zoning regulation or to the text of this ordinance not affecting specific property, notice of the public hearing of the planning and zoning commission shall be given by publication in a newspaper of general circulation in the City of Sachse without necessity of notifying property owners by mail. Such notice shall state the time and place for such hearing and the nature of the subject to be considered, which time shall not be earlier than ten days from the date of publication.

...”

SECTION 3. To the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Sachse governing the use and development of the

Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

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

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

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

SECTION 7. That any person, firm, or corporation violating any provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

PASSED AND APPROVED by the City Council of the City of Sachse, Texas this the 21st day of January, 2025.

APPROVED:

Jeff Bickerstaff, Mayor

DULY ENROLLED:

Leah K Granger, City Secretary

APPROVED AS TO FORM:

Joseph J. Gorfida, Jr., City Attorney

ORDINANCE NO. O-2025-

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 11 “ZONING”, SECTION 11-3 “PLANNING AND ZONING COMMISSION,” SUBSECTION C “RULES AND REGULATIONS,” BY MODIFYING PARAGRAPH 2 RELATED TO PUBLIC HEARING NOTICE DISTANCE REQUIREMENT, ADDING A NEW PARAGRAPH 3 RELATED TO ZONING CHANGE SIGN POSTING REQUIREMENTS, AND RECODIFYING THE FORMER PARAGRAPHS 3 THROUGH 11 TO THE NEW PARAGRAPHS 4 THROUGH 12; AND BY AMENDING CHAPTER 11 “ZONING”, EXHIBIT 11A "ZONING ORDINANCE", ARTICLE 12 “CHANGES AND AMENDMENTS” BY MODIFYING SECTION 3 “PUBLIC HEARING BEFORE PLANNING AND ZONING COMMISSION” RELATED TO PUBLIC HEARING NOTICE DISTANCE REQUIREMENT; PROVIDING A CONFLICTS CLAUSE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That the City of Sachse Code of Ordinances is amended by amending Chapter 11 “Zoning”, Section 11-3 “Planning and zoning commission,” Subsection C “Rules and regulations,” by modifying paragraph 2, adding a new paragraph 3, and recodifying the former paragraphs 3 through 11 to the new paragraphs 4 through 12 to read in its entirety as follows:

**“CHAPTER 11
ZONING**

...

§ 11-3 Planning and zoning commission.

A. ...

C. Rules and regulations. The following rules and regulations are hereby adopted by the city for the making of applications for zoning changes and for the handling of public hearings before the city planning and zoning commission and the city council:

- (1) Applications for zoning changes must be made in writing and filed with the office of development services on a form approved by the city manager or his/her

designee. The form to be used in making the application shall contain such information as may be required by the city manager or his/her designee.

- (2) Written notice of the public hearing shall be sent to property owners as required by law prior to the hearing by the planning and zoning commission. The notice shall be mailed at least ten days prior to the hearing to all owners of property affected by the proposed change in the zoning by sending such notices to all persons owning property within 200 feet of the area of the proposed change of zoning. The notice shall be sent to persons whose names appear on the current tax roll.
- (3) All zoning changes or amendments, including zoning, rezoning, amendments to planned developments, specific use permits, and the like, shall be required to have an official sign posted prior to planning and zoning commission consideration and the sign maintained throughout the zoning change process.
 - (a) The director of development services, or designee shall have the authority to determine if the notice posting on the subject property met the intent of the requirements contained herein.
 - (b) Process. The following requirements shall apply to the posting of a zoning change sign:
 - (i) The applicant shall be responsible for posting the required number of notification signs on the subject property at least seven (7) calendar days prior to the planning and zoning commission consideration of the application and for maintaining the required signs, until consideration by the city council.
 - (ii) The applicant shall furnish an affidavit to the development services department no earlier than 8:00 a.m. on the seventh (7th) calendar day prior to the planning and zoning commission meeting, and no later than 12:00 p.m. (noon) on the fifth (5th) calendar day prior to the planning and zoning commission meeting at which the public hearing is scheduled, certifying that the required sign was posted on the subject property on or before the seventh day prior to said commission meeting. A picture of the zoning sign(s) placed on the property shall be provided to the development services department for permanent record.
 - (iii) Failure to post the sign at least seven (7) days prior to the planning and zoning commission public hearing shall result in the postponement of the zoning change consideration by the commission. The applicant shall be subject to an additional fee to republish and/or re-notify due to such postponement.

- (c) Maintenance of zoning change signs.
- (i) The applicant shall be responsible for maintaining the sign on the subject property throughout the zoning change process. The city is not responsible for monitoring the required zoning change signs.
 - (ii) Should the city discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, a representative of the development services department shall contact the applicant to investigate and, if needed, correct the posting. An affidavit from the applicant certifying that the applicant has corrected the posting shall indicate that the intent of the posting requirement was met.
 - (iii) Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to repair or replace damaged or missing signs upon notification.
 - (iv) The applicant shall be responsible for removing the sign from the subject property within two weeks of the final action by the city council.
- (d) Sign specifications: All required zoning change signs shall be official city signs.
- (i) Zoning change signs shall be obtained through a designated contractor.
 - (ii) Costs of procuring, installing or replacing signs shall be at the applicant's expense.
 - (iii) All required signs shall be approximately four feet (4 ft.) by four feet (4 ft.) in size, as approved by the director of development services.
 - (iv) All required signs shall state the requested action, a telephone number at the city where additional information may be requested, and other information deemed relevant, as may be needed and as approved by the director of development services.
- (e) Sign locations.

- (i) All required signs shall be posted in unobstructed view on private property and in a manner in which they can be clearly read from the public right-of-way.
 - (ii) On tracts of land with frontage on public right-of-way greater than 250 feet, additional signs shall be posted so that each sign is no greater than approximately 200 feet apart.
 - (iii) On corner lots, a single sign may be posted at the intersection of the two streets if the frontage on either street does not exceed 250 feet.
- (4) The planning and zoning commission may investigate such application before or after public hearing so that the members may be fully acquainted with the subject property and the surrounding area. At the hearing, proponents and opponents shall be given full and adequate opportunity to present their respective views and the planning and zoning commission will, from their personal inspection, and evidence presented, makes its recommendation to the city council as to whether or not the zoning change or special use should be granted or denied, or any other disposition which the planning and zoning commission may deem proper. It shall be the duty of the chairman of the planning and zoning commission, or in his absence, the vice-chairman, assisted by the secretary and members of the planning and zoning commission present at the hearing, to prepare a report in writing, which shall consist of a resume of the evidence head by the planning and zoning commission and any facts which the planning and zoning commission may have gained by personal inspection of the premises and surrounding area involved, and to which shall be attached the recommendation of the planning and zoning commission shall then be filed with the city secretary for presentation to the city council.
- (5) When the planning and zoning commission has recommended that the application for a change of zoning be denied, the development services office shall notify the applicant of the recommendation of the planning and zoning commission and advise the applicant that if the applicant desires the matter to be presented to the city council for its consideration, the applicant shall notify the development services office within 30 days of his desire that the case be submitted to the city council for its consideration. In the event the applicant does not notify the office of development services in writing of his desire that the case be submitted to the city council for its consideration, no further action shall be taken. If such notice is given to the office of development services, the office of development services shall schedule the case for a hearing before the city council. Prior to the hearing before the city council, notice of such proposed hearing shall be published in the official newspaper of the city one time, at least 15 days prior to date of the hearing, such notice to give the time and place of the hearing, a description of the property, information as to the request made by the applicant and the recommendation of the planning and zoning commission. Prior to the hearings before the city council, the

development services office shall deliver to the city council the report and recommendation of the planning and zoning commission.

- (6) At the time of the hearing before the city council, the applicant and opposition shall be given an opportunity to be heard in connection with the proposed change of zoning. After both the applicant and the opposition have been heard, the public hearing will be closed. After closing of the public hearing, the city council shall make a decision as to whether or not the proposed zoning change should be made as requested, or should be made in some modified form, or whether it should be denied with or without prejudice. In the event the city council votes to grant a zoning change a written ordinance shall be prepared for submission to the city council. No zoning change shall become effective until after a written ordinance granting such change has been prepared and duly adopted by the city council, and the caption of said ordinance published in the official newspaper, as the law in such cases provides.
- (7) Any zoning matter acted upon by the planning and zoning commission will not again be considered for a period of one year, except:
 - (a) At the request of, referral back or a denial without prejudice from the city council.
- (8) Action by the planning and zoning commission shall be considered only as a recommendation that the proposed zoning change be granted or denied. Any action or recommendation made by the planning and zoning commission shall be governed by the provisions of article 1011a or 1011j of Vernon's Revised Civil Statutes and the Comprehensive Zoning Ordinance of the city.
- (9) In the event a protest against such zoning change has been filed with the city secretary, duly signed by the owners of 20 percent or more either of the area included in the zoning change or of the land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, such amendment shall not become effective except by a three-fourths vote of the governing body.
- (10) In the event a request for zoning change to the planning and zoning commission is withdrawn following placement on the agenda thereof, said request shall be deemed disapproved and shall be so stated in the minutes.
- (11) In the event a recommendation for approval is forwarded to the city council by the planning and zoning commission and said request is withdrawn after placement on the city council agenda, said request shall be deemed disapproved and shall be so stated in the minutes.
- (12) In the event any request for zoning change is denied by vote of the city council or is denied by virtue of the provisions in subsections C(9) or C(10) of this section,

said request shall not be resubmitted or considered by the planning and zoning commission or the city council for a period of one year. Said period shall begin to run on the date any such disapproval is entered in the minutes by the city secretary.

...”

SECTION 2. That the City of Sachse Code of Ordinances is amended by amending Chapter 11 “Zoning”, Exhibit 11A "Zoning Ordinance", Article 12 “Changes and Amendments” by amending Section 3 “Public hearing before planning and zoning commission” to read as follows:

**“CHAPTER 11
ZONING**

...

**EXHIBIT 11A
ZONING ORDINANCE**

...

**Article 12
CHANGES AND AMENDMENTS**

...

§ 3 Public hearing before planning and zoning commission.

3.1. The planning and zoning commission shall hold a public hearing on any application for any amendments or change prior to making its recommendation and report to the city council. When any such amendment or change relates to a change in classification or boundary or a zoning district, written notice of public hearing before the planning and zoning commission on the proposed amendment or change shall be mailed to all owners of real property lying within 200 feet of the property on which the change is requested. Such notice shall be given not less than ten days before the date set for hearing by depositing in the mail such notice properly addressed and postage paid to each taxpayer as the ownership appears on the last approved city tax roll. When any such amendment relates to a change of a zoning regulation or to the text of this ordinance not affecting specific property, notice of the public hearing of the planning and zoning commission shall be given by publication in a newspaper of general circulation in the City of Sachse without necessity of notifying property owners by mail. Such notice shall state the time and place for such hearing and the nature of the subject to be considered, which time shall not be earlier than ten days from the date of publication.

...”

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

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

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

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

SECTION 7. That any person, firm, or corporation violating any provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

PASSED AND APPROVED by the City Council of the City of Sachse, Texas this the 21st day of January 2025.

APPROVED:

Jeff Bickerstaff, Mayor

DULY ENROLLED:

Leah K Granger, City Secretary

APPROVED AS TO FORM:

Joseph J. Gorfida, Jr., City Attorney