



# CITY OF HALLETTSVILLE

## NOTICE OF MEETING

CITY OF HALLETTSVILLE  
PLANNING AND ZONING COMMISSION  
WEDNESDAY, JULY 17, 2024 5:30 P.M.  
COUNCIL CHAMBERS, CITY HALL  
101 NORTH MAIN STREET  
HALLETTSVILLE, TEXAS 77964

### AGENDA

- 1) Call to Order and Announcement of Quorum
- 2) Public Comment Period (speaking time limit to 5 minutes per person)
- 3) Discuss and consider approving the meeting minutes from the March 13, 2024 Planning & Zoning Meetings.
- 4) Public Hearing, discussion, and possible action on the recommendation to City Council on the amendment to Chapter 12 Planning & Zoning on Specific Use Permits, Permitted and Prohibited land uses, and Regulations of Nonconformities.
- 5) Announcements
- 6) Adjournment

**PUBLIC NOTICE IS GIVEN THAT IN ADDITION TO ANY EXECUTIVE SESSION LISTED ABOVE, THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTIONS 551.071 CONSULTATION WITH ATTORNEY TO DISCUSS ANY OF THE MATTERS LISTED ABOVE.**

**PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICE SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT OR BRAILLE, ARE REQUESTED TO CONTACT GRACE WARD AT (361) 798-3681 TWENTY-FOUR (24) HOURS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.**

Posted by:

Grace Ward, City Administrator/Secretary

Posted on July 12, 2024 at 5:00 P.M.

**PLANNING & ZONING MEETING 5:30 PM WEDNESDAY, JANUARY 3, 2024**  
**CITY COUNCIL CHAMBERS 101 N. MAIN ST.**  
**HALLETTSVILLE, TX 77964**

**MEMBERS PRESENT:** Chairperson Wayne Freytag, Dennis Matula, Frank Zaruba, Elrose Kalisek, Jerry Timm, Peter Murphy, Debbie Fishbeck

**MEMBERS ABSENT:** Sandra Holy, Ronnie Delarosa

**ALT. MEMBERS PRESENT:** Both moved to the table.

**ALT. MEMBERS ABSENT:** None

**STAFF PRESENT:** City Administrator/Secretary Grace Ward, Director of Administrative Services Tammy Bell, Administrative Specialist Amber Caka, Court Clerk Jodie Garza

**GUEST PRESENT:** Audrey Barrera, Charles Haynes, J. Barnett

Chairperson Freytag called the meeting to order at 5:30 PM

**AGENDA ITEM 2) Public Comment Period**

**DISCUSSION:** None

**AGENDA ITEM 3) Consider Approving the November 28, 2023 Planning and Zoning Commission meeting minutes.**

**DISCUSSION:** None

**MOTION:** Commissioner Matula motioned to approve the November 28, 2023 Planning and Zoning Commission meeting minutes and Commissioner Kalisek seconded the motion.

Chairperson Freytag called for a vote.

**AYE**           6

**NAY**           0

**DISCUSSION:** None

**MOTION:** Commissioner Matula motioned to approve the November 28, 2023 Planning and Zoning Commission meeting minutes and Commissioner Kalisek seconded the motion.

Chairperson Freytag called for a vote.

**AYE**           6

**NAY**           0

**AGENDA ITEM 4) Public Hearing, discussion, and possible action on Specific Use Permit on the placement of a manufactured home at 607 S Market.**

Grace Ward read the staff report for the SUP stating that the City Staff finds no reason within code to deny the Specific Use Permit request for placement of a manufactured home at 607 S Market, Hallettsville, TX 77964.

Chairperson Freytag opened the Public Hearing at 5:38 PM

**Public Comments:** None

Chairperson Freytag closed the Public Hearing at 5:39 PM

**DISCUSSION:** None

MOTION: Commissioner Matula motioned to recommend to City Council to approve the Specific Use Permit for 607 S Market and Commissioner Fishbeck seconded the motion.

Chairperson Freytag called for a vote

AYE 6

NAY 0

**AGENDA ITEM 5)** Discuss the Resilient Communities Grant and the Comprehensive Plan & Zoning that the grant will cover.

DISCUSSION: Grace Ward explained the grant and the participation of the Planning & Zoning Commission.

**AGENDA ITEM 6)** Discuss and consider appointing two Planning & Zoning Commissioners to a committee for the Resilient Communities Grant.

DISCUSSION: Grace Ward explained that the Commission could appoint a subcommittee for informative purposes of this grant. The Commission did not want to do this.

**AGENDA ITEM 7):** Announcements

DISCUSSION: Ward informed the Commission of the passing of Elmo Grant.

**AGENDA ITEM 8):** Adjournment

DISCUSSION: None

MOTION: Commissioner Matula made a motion to adjourn the meeting and Commissioner Fishbeck seconded the motion.

Chairperson Freytag called for a vote.

AYE 6

NAY 0

There being no other business, Chairperson Freytag adjourned the meeting at 5:46 P.M.

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Chairperson  
Wayne Freytag

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City Secretary  
Grace Ward

**ORDINANCE NO. 6XX-24**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALLETTSVILLE AMENDING THE CODE OF ORDINANCES, CHAPTER 12 PLANNING AND ZONING, AMENDING PERMITTED AND PROHIBITED LAND USES, AND REGULATIONS OF NONCONFORMITIES; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Hallettsville (“City”) is a General Law Municipality operating under the laws of the State of Texas; and

**WHEREAS**, the City has previously established regulations pertaining to manufactured homes, manufactured home parks, recreational vehicles and recreational vehicle parks and the City Council desires to amend the aforementioned regulations; and

**WHEREAS**, Texas Occupations Code Chapter 1201 provides for a municipality to determine which areas are appropriate for manufactured housing; and

**WHEREAS**, the City is empowered by Chapter 211 of the Texas Local Government Code to establish a zoning ordinance establishing zoning districts and permissible land uses within the incorporated limits of the City; and

**WHEREAS**, the City Council may from time to time choose to amend, supplement, change or modify the City’s zoning regulations, boundaries, or classifications; and

**WHEREAS**, the City has given appropriate and reasonable consideration to the zoning regulations as most appropriate for the City and has determined that certain revisions to the City’s zoning ordinance are necessary in order to more accurately reflect the will of the citizens of the City; and

**WHEREAS**, the City Council finds that the code of ordinances as amended herein, is necessary for the orderly development of this community and represents the best interest of all citizens of the City and promotes the aesthetics, health, safety, general welfare and convenience of the people; and

**WHEREAS**, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALLETTSVILLE THAT:**

**Section 1.** The foregoing recitals are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**Section 2.** The City of Hallettsville Code of Ordinances, Chapter 12 Planning and Zoning are hereby amended as set forth on **Exhibit A** attached hereto.

**Section 3.** If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

**Section 4.** This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**Section 5.** This Ordinance shall be construed and enforced in accordance with the laws of the state of Texas and the United States of America.

**Section 6.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**Section 7.** This Ordinance will take effect upon its adoption by the City Council and publication as necessary.

INTRODUCED, READ and PASSED, by the affirmative vote of the City Council of the City of Hallettsville this the 1<sup>st</sup> day of August, 2024.

\_\_\_\_\_  
Alice Jo Summers, Mayor

ATTEST:

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Grace Ward, City Secretary

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Exhibit A – Manufactured Home Park Ordinance Revisions - City of Hallettsville

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In sections being amended, all text which is underlined denotes addition of new text and all text which is ~~stricken~~ denotes removal of existing text. All other text is existing, unchanged text. Any existing text which has been omitted shall be considered unchanged.

In sections being added, all text shown is new.

All text which is both between braces { } and italicized, is for document organization and reference only and is not intended to be adopted.

The City of Hallettsville Code of Ordinances is hereby amended as follows:

*{Amend Section 12.701 as follows:}*

**Section 12.701. Permitted Uses.**

The following land uses shall require a specific use permit to be permitted within the city:

- ~~(1) Manufactured home park.~~
- (12) Manufactured home outside of a manufactured home park.
- ~~(3) Recreational Vehicle (RV) park.~~
- (24) Event only Recreational Vehicle (RV) park.

*{Add a new Section 12.702:}*

**Section 12.702. Prohibited Uses.**

The following land uses are prohibited within the city:

- (1) Manufactured home park.
- (2) Recreational Vehicle (RV) park.

*{Add a new Section 12.507:}*

**Section 12.507. Regulation of Nonconformities.**

- (a) Applicability. This section is applicable to permitted and prohibited uses identified in Sections 12.701 and 12.702.
- (b) Continuance of Nonconformities. The lawful use of any building, structure, or land in accordance with the terms of the zoning regulations when the use was established, or in the case of annexed property in accordance with the regulations under which the use was created, may be continued.
- (c) Expansion of Nonconformities. A nonconforming use or structure shall not be enlarged, increased, or extended to occupy a greater area of land than was occupied at the time the

use or structure became nonconforming, except that construction of a detached accessory building for the purpose of storage, on a lot occupied by a nonconforming use, shall not be deemed expansion of a nonconforming use.

(d) Repairs and Alterations.

- (1) *Moving a Nonconforming Structure.* No nonconforming structure shall be moved to any other location on the lot, or to any other location or lot, unless the structure is in compliance with all applicable regulations where the structure is to be relocated.
- (2) *Right to Repair Maintained.* Nothing in this Section shall be construed to prohibit the normal maintenance or repair of any part of any structures, unless such repairs or maintenance exceeds fifty percent (50%) of the structure's appraised value.
- (3) *Substandard Nonconforming Structure.* The right to maintain any nonconforming structure shall terminate whenever the nonconforming structure becomes substandard under any applicable ordinance of the City and the cost of placing such structure in lawful compliance exceeds fifty percent (50%) of the replacement cost of such structure on the date that the structure is deemed substandard.

(e) Reconstruction Following Damage or Destruction.

- (1) *Structure Totally Destroyed.* If a nonconforming structure or a structure occupied by a nonconforming use is totally destroyed by fire or the elements, such structure may not be reconstructed or rebuilt except in conformance with provisions herein. Damages from any cause exceeding fifty percent (50%) of the value of such structure at the time of damage shall necessitate the discontinuance of use of such structure and same shall not be restored or reconstructed except in conformity with current regulations applicable to such structure.
- (2) *Structure Partially Destroyed.* Nonconforming structures that are damaged may be restored to their former condition if such damages do not exceed fifty percent (50%) of the value of such structure at the time of damage. Such restoration or reconstruction shall be completed within twelve (12) months of the damaging event. If reconstruction is delayed by contested insurance claims, litigation, or some other similar cause, then the twelve (12) month reconstruction period may be extended by the City Administrator.

(f) Abandonment. A nonconforming use which has been abandoned shall not be returned to any nonconforming use. A nonconforming use shall be considered abandoned when:

- (1) It has been replaced with a conforming use; or
- (2) A nonconforming use or structure becomes vacant and remains unoccupied or out of use for a continuous period of 180 days; or
- (3) In the case of a Manufactured Home Park, the Park is reduced to fewer than two manufactured homes for a continuous period of 180 days or the Manufactured Home Park license is revoked per Section 3.204(k).

Exhibit A – Manufactured Home Park Ordinance Revisions - City of Hallettsville

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- (4) In the case of a Recreational Vehicle Park, the Park is reduced to zero recreational vehicles for a continuous period of 180 days or the Recreational Vehicle Park license is revoked per Section 3.204(k).