



CITY OF KYLE

Community Development Department



June 5, 2018

To: City of Kyle Mayor & City Council
From: Howard J. Koontz, AICP, Planning & Community Development Director
Re: Zoning Ordinance Text Amendment Related to Accessory Structures

Historically, Kyle's development staff has processed and permitted new accessory structures based on "known department policy". For the sake of clarity and transparency, staff believes it is appropriate to codify these policies into the city's zoning ordinance.

The following text will be added to the city's supplemental regulations for building standards found in Chapter 53. These provisions are usual and customary for the placement of accessory uses and structures, similar in style to neighboring communities, and are consistent with the policies and procedures Kyle has administered in year's past.

At their regular May 8th meeting, the Planning & Zoning Commission conducted a Public Hearing for this item, as well as engaged in extended debate. Some issues brought up at the meeting related to the functioning definition of 'accessory structure' (specifically if every accessory structure need be regulated by this ordinance text), the distancing requirements (setbacks) for the placement of accessory structures, and whether life safety separation should be applicable to accessory structures both on and off the building site. Ultimately, the Commission moved to postpone a recommendation for this item until after they can conclude their discussion. The item was postponed on May 8th to the May 22nd meeting.

At their special called meeting on the 23rd, the Commissioners present again discussed possible revisions to the current definition of 'accessory structure', and the spatial limitations of new accessory structures as they relate to property lines and existing structures, both on and off the development site. Ultimately, the commissioners moved to recommend approval of the proposed language, as presented, 3-2 (Fenety and Blok dissent; Koch and Robinson absent).

Staff recognizes and appreciates the discussion, and the valid points that were brought up throughout. Since this item's introduction, the concept of a more encompassing definition of 'accessory structure' has been mentioned, as well as exceptions for larger accessory structures for properties engaged in active agriculture/silviculture operations. Both of these concepts are referenced in the text attached to this memo, highlighted in blue.