



AGENDA ITEM SUMMARY FORM

MEETING DATE: August 19, 2026
PREPARED BY: Michael Burrell, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an Ordinance Amending Chapter 15, Site Development, of the Code of Ordinances of the City of Manor, Texas, establishing a Uniform Variance Process for Chapter 15; and Repealing Certain Existing Article-Specific Variance Procedures.

BACKGROUND/SUMMARY:

This Ordinance amends Chapter 15 Site Development, which includes the city's Site Development Plan (Art. 15.01), Parking Standards (Art. 15.02), Landscaping and Screening (Art. 15.03), Signs (Art. 15.04), Outdoor Lighting (Art. 15.05), and Wireless Transmission Facilities (Art. 15.06) codes.

Within those various Articles, some contain a variance provision – Signage variances go to the City Council, and Outdoor Lighting variances go to the Board of Adjustment, and some do not contain a variance procedure – General Site Plan requirements, Landscaping and Screening, and Wireless Transmission Facilities. Within the Landscaping and Screening Article, there is a process through the Planning and Zoning Commission for a property owner to request the removal of a Heritage Tree, and that process is unchanged with this proposed Site Development variance ordinance. Other aspects of the Landscaping and Screening code, like the number and placement of trees, would be able to request a variance under the new procedures, should this ordinance be adopted.

There are two draft ordinances before the City Council. One is written with redlines that would require any variances filed under the new provisions to have public notices and a public hearing when the item is considered by the City Council, and the other does not include the public notice requirement. **If the City Council would like to include public notice and hearing requirements, the redline ordinance can be approved. If the City Council does not want to have public notice or hearing requirements, the non-redlined ordinance can be approved.** We would follow our standard public notice requirements, which would provide all property owners within 300 feet of the subject property a letter at least 15 days before the public hearing notifying them of the request and the date and time of the meeting. We would also post in the Manor Journal at least 10 days before the public hearing a notice of the request and the date and time of the hearing.

With or without the public notice/hearing redlines, this ordinance establishes a uniform variance process for the various Articles in Chapter 15, Site Development. An applicant can either provide the required information on an existing application or file a separate variance application. Once complete information is received and accepted by city staff, the request will be forwarded to the City Council for consideration. Applicant must address five considerations, which form the basis for the City Council's determination. Those are:

- (1) because of the unusual size, shape, topography, location, or physical conditions of the property, strict application of the requirement would result in substantial hardship or inequity;
- (2) the hardship or inequity is caused by conditions unique to the property and is not self-created;
- (3) the variance is the minimum relief necessary;
- (4) the variance will not be detrimental to neighboring property or the public health, safety, or welfare; and
- (5) the variance is consistent with the general purpose and intent of this chapter and the City's comprehensive plan.

Additionally, for Sign code variances, an applicant must also address two additional considerations, which are:

- (1) the variance will not provide the applicant with a special privilege not enjoyed by other similarly situated or potentially similarly situated properties; and
- (2) the variance will not conflict with the purposes of this article, including public safety, adequate light, open space and air, conservation of land and building values, and the appropriate use of land.

Sign code variances require a two-thirds affirmative vote, while variances filed under the other articles of Chapter 15 require a simple majority vote. The additional requirements for sign code variances were taken from the existing sign code variance section, which was approved by the City Council under Ordinance 791 in June 2025.

ATTACHMENTS: No