



TOWN OF TROPHY CLUB

1 Trophy Wood Drive
Trophy Club, Texas 76262

PLANNING & ZONING COMMISSION MEETING

AGENDA

September 4, 2025

6:00 PM

Council Chambers

CALL TO ORDER AND ANNOUNCE A QUORUM

PUBLIC COMMENT(S)

This is an opportunity for citizens to address the Board/Commission on any matter pursuant to Texas Government Code Sec. 551.007. The Board/Commission is not permitted to discuss or take action on any presentations made concerning matters that are not listed on the agenda. Presentations are limited to matters over which the Board/Commission has authority. Speakers have up to three (3) minutes or the time limit determined by the Presiding Officer. Each speaker must have submitted their request to speak by completing the Speaker's Form or may email jross@trophyclub.org.

REGULAR ITEMS

1. Proposed Zoning Change.
Conduct a public hearing and make a recommendation to the Town Council amending Sections 14.02.052, "Definitions," Section 14.02.103, "Use Table," and Division 5, "Supplementary District Regulations," of Article 2, "Zoning Ordinance," of Chapter 14, "Zoning," of the Code of Ordinances, Town of Trophy Club, Texas, by updating regulations pertaining to Nursing Facilities, Assisted Living Facilities, and Community Homes and establishing for the registration of such operations; providing that this Ordinance shall be cumulative of all Ordinances. (Tamara Smith, Assistant to the Town Manager)
 - i. Conduct Public Hearing
 - ii. Consider Recommendation
2. Consider approval of the August 14, 2025, Planning & Zoning Commission meeting minutes. (Jackie Ross, Sr. Administrative Assistant)

FUTURE AGENDA ITEMS

ADJOURN

The Board/Commission may convene into executive session to discuss posted items as allowed by Texas Government Code Sections 551.071 through 551.076 and Section 551.087.

Notice is hereby given that a quorum of the Town of Trophy Club Town Council may be in attendance at this meeting. The Town Council will not deliberate or take any action.

I do hereby certify that the Notice of Meeting was posted on the bulletin board at the Town Hall for the Town of Trophy Club, Texas, in a place convenient and readily accessible to the general public at all times on the following date and time: August 26, 2025, at 3:45 PM, and said Notice of Meeting was also posted concurrently on the Town's website in accordance with Texas Government Code Ch. 551 at least 72 hours prior to the scheduled time of said meeting.

Jackie Ross, Sr. Administrative Assistant

If you plan to attend this public meeting and have a disability that requires special needs, please contact the Town Secretary's Office at 682-2372900, 48 hours in advance, and reasonable accommodations will be made to assist you.



PLANNING & ZONING COMMISSION COMMUNICATION

MEETING DATE: September 4, 2025

FROM: Tamara Smith, MSL, Assistant to the Town Manager

AGENDA ITEM: Proposed Zoning Change.

Conduct a public hearing and make a recommendation to the Town Council amending Sections 14.02.052, "Definitions," Section 14.02.103, "Use Table," and Division 5, "Supplementary District Regulations," of Article 2, "Zoning Ordinance," of Chapter 14, "Zoning," of the Code of Ordinances, Town of Trophy Club, Texas, by updating regulations pertaining to Nursing Facilities, Assisted Living Facilities, and Community Homes and establishing for the registration of such operations; providing that this Ordinance shall be cumulative of all Ordinances. (Tamara Smith, Assistant to the Town Manager)

- i. Conduct Public Hearing
- ii. Consider Recommendation

BACKGROUND/SUMMARY:

As part of the FY 2025 Business Plan, Goal #5 focuses on establishing best practices for permitting and regulating senior group homes and boarding homes. This effort includes developing recommendations for potential ordinance improvements to enhance Trophy Club's reputation as a premier neighborhood community.

In the Town's current ordinance, Convalescent and Group Homes are not state-regulated or licensed, posing legal risks to the Town. To mitigate this risk, proposed ordinance amendments will incorporate Assisted Living Facilities and Community Homes, both state-licensed and regulated, while setting occupancy limits for group homes to enhance compliance.

A reasonable accommodation request process will further protect the Town from ADA-related lawsuits. Assisted Living Facilities currently fall under the Convalescent Home category in the Town's zoning ordinances, but updates are recommended to align with State regulations. While licensing is governed by state law, the Town can strengthen oversight by implementing registration and certificate of occupancy requirements.

To ensure compliance, the Town may require annual inspections, report violations to the Texas Department of Aging and Disability Services (DADS), and revoke occupancy certificates for non-compliance. Additionally, a legal framework is being developed to incorporate reasonable accommodation procedures, ensuring compliance with the Americans with Disabilities Act (ADA) and mitigating potential discrimination claims related to group homes and addiction

treatment facilities. Considerations are also being given to occupancy limits, community home requirements, and the renewal process for reasonable accommodations.

Next steps include updating the Town’s zoning ordinance to align with state laws, implementing registration and inspection processes, and ensuring zoning regulations remain legally sound. A work session was conducted with the Town Council in April and with the Planning & Zoning Commission and Zoning Board of Adjustments in July. A resident input session was held in August.

Recommendations from the two work sessions and the resident input session included:

- On-site and off-site parking, with a look at HB 2464 (the home occupations bill) as an avenue to regulate parking.
- Distance requirements between community homes.
- Ownership/whether an operator can lease a property.
- Providing notice of reasonable accommodation request.
- Restricting ALFs/Community homes from operating in hazardous areas.
- Proposal disposal of medical waste.

The Planning & Zoning Commission is requested to review the draft ordinance and provide a recommendation to the Town Council regarding this item.

BOARD REVIEW/CITIZEN FEEDBACK: Notice of the public hearing was distributed as required by the Town of Trophy Club Zoning Ordinance and State Law.

FISCAL IMPACT: The Town will outsource inspections to a third-party vendor. Inspection costs will be applied to offset any expenses owed by the Town, and an administrative fee will be added to cover the time required to prepare information and other necessary departmental resources.

Permit Application Fee: \$300
 Legal Review: Actual Cost
 Inspection: \$150
 Reinspection: \$150 for each additional reinspection.
 For the use of outside consultants for inspections: Actual cost

LEGAL REVIEW: Town Attorney, Dean Roggia and Rachel Raggio, has reviewed the ordinance as to form and legality.

ATTACHMENTS:

1. Presentation

2. Draft Ordinance

ACTIONS/OPTIONS:

Staff recommends that the Planning & Zoning Commission conduct the public hearing and move to recommend approval to the Town Council amending Sections 14.02.052, "Definitions," Section 14.02.103, "Use Table," and Division 5, "Supplementary District Regulations," of Article 2, "Zoning Ordinance," of Chapter 14, "Zoning," of the Code of Ordinances, Town of Trophy Club, Texas, by updating regulations pertaining to Nursing Facilities, Assisted Living Facilities, and Community Homes and establishing for the registration of such operations; providing that this Ordinance shall be cumulative of all Ordinances.



Planning & Zoning Regular Meeting

Thursday, September 4, 2025



Council Feedback

Council Feedback

The preference is to send reasonable accommodation reviews to ZBA instead of the Town Council.

Explore the potential to regulate on-street parking associated with ALF's.

Add in the requirement to send ALF violations to the appropriate state licensing agency.

Develop procedures for restrictions to property improvements at ALFs that are not consistent with typical residential uses. Include reasonable accommodation review for improvements outside of that typical residential use.

Add background checks to all residents in the facility. (Town Attorney is against this)



P&Z/ZBA Feedback

P&Z/ZBA Feedback

Parking:

- Add specific parking requirements (on-site usage, street frontage limits).
- Prohibit unpermitted garage conversions.
- Look into regulating street parking to the area immediately adjacent to the facility's front lot line.
- Investigate the legality of requiring a circular driveway at the facility.
- Investigate the option of requiring visitor cards for vehicles parked on the street.
- Look into if the Town can implement a "resident sticker" program.

P&Z/ZBA Feedback

Inspection Protocols:

- Define annual inspection process and complaint-based inspections.
- Require documentation of TAS (Texas Accessibility Standards) compliance and third-party inspections prior to CO.
- Look at trash pickup issues.

Community Notification Process:

- Develop a post-approval flyer or letter notifying adjacent homeowners of new facilities.
- Include code enforcement contact and complaint process instructions.

P&Z/ZBA Feedback

Property Restrictions:

- Develop procedures for restricting property improvement of ALS's that are not consistent with typical residential uses.
- Include reasonable accommodations review for improvements outside of the typical residential use.

Public Education:

- Provide resources and clear FAQs on what the Town can and cannot regulate.

Violations:

- Send all ALS violations to the appropriate state licensing agency.

P&Z/ZBA Feedback

Legal Review:

- Assess the potential for distance restrictions between facilities.
- Clarify applicability of Health & Safety Code Section 260 on boarding homes.
- Confirm legality of requesting limited licensure updates without violating HIPAA.
- Look into whether the town can exclude certain parts of residential districts from the availability of operating an assisted living facility.
- Add in a step that the Town will inspect the property.

P&Z/ZBA Feedback

Permit:

- Establish permit and inspection fee schedule based on third-party costs with administrative overhead.
- Look into the possibility of requesting, with the annual renewal process, a list of the current people and whatever they had to qualify them with the state.
- Look into asking the facilities to provide a plan for ambulance access.



Resident Feedback

Resident Feedback

Parking: Residents want to include HB 2464 (the home occupations bill), which provides an avenue to regulate parking for community homes operating out of single-family residences, but the attorney states it does not significantly change the regulatory approach reflected in the current draft.

Trash: Residents want to enforce the Town's existing trash ordinance. The attorney recommendation is to add a simple regulation referencing state requirements for medical waste under 26 TAC 553.104(k), so that failure to comply would also constitute a local ordinance violation, making it both reportable to the state and enforceable by the Town.



Questions/Discussion





[social media](#) | [email](#) | [website](#)

TOWN OF TROPHY CLUB, TEXAS

ORDINANCE NO. 2024-XX

AN ORDINANCE OF THE TOWN OF TROPHY CLUB, TEXAS, AMENDING SECTION 14.02.052, "DEFINITIONS," SECTION 14.02.103, "USE TABLE," AND DIVISION 5, "SUPPLEMENTARY DISTRICT REGULATIONS," OF ARTICLE 2, "ZONING ORDINANCE," OF CHAPTER 14, "ZONING," OF THE CODE OF ORDINANCES, TOWN OF TROPHY CLUB, TEXAS, BY UPDATING REGULATIONS PERTAINING TO NURSING FACILITIES, ASSISTED LIVING FACILITIES, AND COMMUNITY HOMES AND ESTABLISHING FOR THE REGISTRATION OF SUCH OPERATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Trophy Club, Texas (the "Town") is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Town Council is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to regulate land use, and property development within the Town for the public health, safety, and general welfare; and

WHEREAS, the Town Council has previously adopted regulations governing the nursing, rest, and convalescent homes and homes for the developmentally disabled; and

WHEREAS, the Town Council desires to update the Town's regulations of such operations in order to align with current state law governing nursing facilities, assisted living facilities, and community homes, and to provide for the registration and inspection of such operations; and

WHEREAS, after public notice was given in compliance with State law and a public hearing was conducted, and after considering the information submitted at the public hearing and all other relevant information and materials, the Planning and Zoning Commission of the Town has recommended to the Town Council the adoption of this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before Town Council on [REDACTED], at which the Town Council considered the information submitted at the public hearing and all other relevant information and materials.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TROPHY CLUB, TEXAS, THAT:

SECTION 1.

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2.

Section 14.02.052, "General definitions," of Division 2, "Definitions," of Article 2, "Zoning Ordinance," of Chapter 14, "Zoning," of the Code of Ordinances, Town of Trophy Club, Texas, is hereby amended by deleting the definitions of "Convalescent home" and "Group home for the disabled" and by adding the following new definitions, inserted alphabetically to read as follows:

"Assisted living facility. A facility that furnishes food and shelter and provides personal care and services pursuant to Chapter 247 of the Texas Health and Safety Code.

Community home. A community-based residential home, as defined by Texas Human Resources Code Chapter 123, that is operated by: a) the Department of Aging and Disability Services; b) a community center organized under Subchapter A, Chapter 534, Texas Health and Safety Code, that provides services to persons with disabilities; c) an entity subject to the Texas Nonprofit Corporation Law as described by Section 1.008(d), Business Organizations Code; d) an entity certified by the Department of Aging and Disability Services as a provider under the ICF-IID medical assistance program; or e) an assisted living facility licensed under Chapter 247, Health and Safety Code, provided that the exterior structure retains compatibility with the surrounding residential dwellings.

Nursing facility. Convalescent and nursing facilities that provide services pursuant to Chapter 242 of the Texas Health and Safety Code."

SECTION 3.

Subsection (a), "Residential," of Section 14.02.103, "Use table," of Division 3, "Establishment of Districts," of Article 2, "Zoning Ordinance," of Chapter 14, "Zoning," of the Code of Ordinances, Town of Trophy Club, Texas, is hereby amended by deleting the use classifications for "Home for developmentally disabled" and "Nursing, rest and convalescent home" and adding the following new use classifications, inserted alphabetically to read as follows:

“

Permitted Uses	District Classifications													
	R-15	R-12	R-11	R-10	R-9	R-8	R-FV	R-TT	R-OH	R-OHP	R-S	MH	*	NS
(a) Residential													*	
Assisted living facility														P
Community home	P	P	P	P	P	P	P	P	P	P	P	P		
Nursing facility														P

”

SECTION 4.

Division 5, “Supplementary District Regulations,” of Article 2, “Zoning Ordinance,” of Chapter 14, “Zoning,” of the Code of Ordinances, Town of Trophy Club, Texas, is hereby amended by adding a new Section 14.02.263, “Nursing Facilities, Assisted Living Facilities, and Community Homes,” to read as follows:

“14.02.263 Nursing facilities, assisted living facilities, and community homes.

(a) Purpose. The purpose of this section is to establish safeguards to protect the life, health, safety, and property of the occupants of nursing facilities, assisted living facilities, or community homes and the general welfare of the public by developing procedures to enforce minimum standards and to provide equitable and practical criminal, administrative, and civil remedies for violations of this section.

(b) Definitions. Unless specified in this section, all terms used herein shall have the meaning assigned by section 14.02.052 of this code.

- (1) Certificate of occupancy. A certificate issued by the town in accordance with all applicable laws, ordinances, or codes authorizing occupancy of a building.
- (2) Operator. The owner, manager, or other responsible party tasked with managing a property as a nursing facility, assisted living facility, or community home, whether an individual or an entity.

- (3) *Life safety violation.* A violation of the most recently adopted editions of the Building Code or International Property Maintenance Code as adopted by the town, the town charter, the Code of Ordinances, or other applicable local, state, or federal law that represents an imminent threat of death or injury to persons on the premises of a nursing facility, assisted living facility, or community home.
- (4) *Critical violation.* A violation of the most recently adopted editions of the Building Code or International Property Maintenance Code as adopted by the town, the town charter, the Code of Ordinances, or other applicable local, state, or federal law that is capable of causing or contributing to injury or illness of persons on the premises of a nursing facility, assisted living facility, or community home.
- (5) *Non-critical violation.* A violation of the most recently adopted editions of the Building Code or International Property Maintenance Code as adopted by the town, the town charter, the Code of Ordinances, or other applicable local, state, or federal law that is not considered a life safety or critical violation.

(c) Applicability and Administration.

- (1) This chapter shall apply to all nursing facilities, assisted living facilities, and community homes located in the town which are now in existence, or which may hereafter be constructed or converted from other uses.
- (2) The community development department is authorized to administer and enforce the provisions of this section and the town's building standards regulations.
- (3) The community development department shall have the authority to render interpretations of this section and to adopt policies and procedures to clarify the application of its provisions.

(d) Registration.

- (1) No nursing facility, assisted living facility, or community home shall be used or occupied until the operator has obtained a certificate of occupancy in accordance with this code.
- (2) An operator that operates a nursing facility, assisted living facility, or community home must register with the town's community development department on an annual basis. Such registration is valid from the date that the application is approved for a period of one (1) year.
- (3) The operator of a nursing facility, assisted living facility, or community home that is constructed after the effective date of this section shall register within 30 days after obtaining its certificate of occupancy, and annually thereafter.

- (4) The registration shall be on a form prescribed by the town, shall be accompanied by the fee identified in the town's fee schedule, and shall contain the following information:
- (A) The operating name, physical address, and business address for the nursing facility, assisted living facility, or community home;
 - (B) The owner name, phone number, email address, physical address, business address, and, if applicable, type of business entity that owns the nursing facility, assisted living facility, or community home;
 - (C) To the extent applicable, the names, addresses, email addresses, and telephone numbers of the property manager, resident manager, registered agent, and all federal, state, and local funding agencies;
 - (D) To the extent applicable, all federal, state, and/or local licenses, applications for licenses, and/or inspection reports related to the operations of the nursing facility, assisted living facility, or community home;
 - (E) The names and physical addresses of designated employees or authorized representatives who shall be assigned to respond to emergency conditions, to include fires, natural disasters, floods, burst pipes, collapse hazard, violent crime, and other similar conditions, and a telephone number where said employees can be contacted during any 24-hour period.
 - (F) The total number of rooms and/or sleeping spaces;
 - (G) If the property is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name and physical address of a duly authorized agent for the entity; and
 - (H) If the property is not owned by the applicant or entity intending to own and/or operate the nursing facility, assisted living facility, or community home, a notarized statement from the property owner consenting to the proposed operations to be conducted at the property.

(e) Inspections and Violations. The town may conduct inspections to ensure compliance with minimum building standards and health and safety regulations in accordance with the following provisions. All inspections shall be subject to the fees identified in the town fee schedule.

- (1) Inspections may be conducted upon filing of a new or renewal registration, upon application for or to verify compliance with a certificate of occupancy,

and upon reports of code violations, including complaints filed with the town, which may result in further periodic or follow-up inspections;

- (2) Inspections may be conducted of the following areas:
 - (A) All building exteriors, including landscaping and screening features;
 - (B) All public areas;
 - (C) Unoccupied dwelling units; and
 - (D) Occupied dwelling units upon the consent of the occupant or the operator or, if necessary, when subject to a warrant issued by a court of competent jurisdiction.
- (3) In the event an inspection identifies violations of minimum building standards and health and safety regulations, the following provisions shall apply:
 - (A) When an inspection is made at a community home or assisted living facility and a violation is found to exist, a notice of violation will be prepared by the town. The notice of violation shall be deemed delivered when a copy of the notice:
 - (i) Is delivered in person to the operator; or
 - (ii) Two days after the copy of the notice of violation is deposited with the U.S. Postal Service and addressed to the landlord, owner, or property manager, with proper postage affixed.
 - (B) Upon receiving a notice of violation, the operator shall timely correct all violations identified in a notice of violation, mitigate safety threats arising from the violations immediately, and make repairs within a reasonable period of time, as identified herein. Conditions creating life safety threats must remain secured from occupants until all repairs are completed.
- (4) In addition to other authority granted by this section, the town has all rights and authority granted by Article 18.05 of the Texas Code of Criminal Procedure. Inspections shall comply with all federal, state, and local laws, regulations, and ordinances.
- (5) When considering a violation created by a tenant, the town may consider the timeliness of the operator's response to the violation, actions taken by the operator to address a tenant's activities that may have caused the violation, and actions taken by the operator to prevent or reduce similar violations in the future.

- (6) Operators shall have an opportunity to correct violations subject to the following timelines. The time to correct a violation may be extended at the town's discretion upon a showing of good cause and identification of a corrective action plan with targets for satisfactory progression toward compliance.
 - (A) A life safety violation shall be corrected within 24 hours of the issuance of the notice of violation;
 - (B) A critical violation shall be corrected within 72 hours of the issuance of the notice of violation; and
 - (C) A non-critical violation shall be corrected within 30 days of the issuance of a notice of violation.
- (7) Failure to timely correct violations in accordance with this section may result in the revocation of a certificate of occupancy.
- (8) The town shall report all violations of applicable state law to the Department of Aging and Disability Services.

(f) Parking Regulations.

- (1) An assisted living facility and/or nursing facility subject to this article, other than a community home, must provide adequate parking in accordance with the town's subdivision ordinance and other applicable regulations. Additionally, parking is restricted to the number of off-street parking spaces associated with the facility structure and to on-street parking immediately adjacent to the property's front lot line. All motor vehicles are further subject to the parking regulations contained in chapter 12 of the code.
- (2) A community home subject to this article may not keep, for the use of the residents of the home, motor vehicles in numbers that exceed the number of bedrooms in the home either on the premises of the home or on a public right-of-way adjacent to the home, in accordance with Section 123.009 of the Texas Human Resources Code.

(g) Waste Disposal Regulations.

- (1) A nursing facility, assisted living facility, or community home subject to this article shall comply with all applicable town requirements for solid waste disposal.
- (2) Additionally, any nursing facility, assisted living facility, or community home producing medical waste must dispose of such waste in accordance with all applicable state regulations for such disposal.

(h) Compatibility with Residential Areas; Location Requirements.

- (1) A community home, including an assisted living facility that retains compatibility with surrounding residential dwellings, is subject to the subdivision and zoning regulations contained in chapters 10 and 14 of the code. In order to construct improvements or operate a use not consistent with said regulations, a community home may apply for a reasonable accommodation in accordance with this chapter, if applicable.
- (2) In accordance with Section 123.008 of the Texas Human Resources Code, a community home may not be established within one-half mile of an existing community home.

(i) Reasonable Accommodations. The provisions in this chapter governing the operation of community homes shall not be construed to limit a person's right to request a reasonable accommodation on the basis of a disability. A person requesting a reasonable accommodation from this ordinance on the basis of a disability may file a request for reasonable accommodation with the community development department.

- (1) A reasonable accommodation request may be made by any person with a disability; the person's representative; a developer; or a provider of housing for individuals with disabilities. The request shall state the reason for the accommodation and the basis for the request and demonstrate that the reasonable accommodation is requested on the basis of disability and is both reasonable and necessary to ensure equal opportunity for individuals with disabilities to obtain housing in accordance with the Fair Housing Act.
- (2) If the reasonable accommodation request demonstrates the qualifications set forth in subsection (1) above and the requested accommodation would not fundamentally alter the town's land use and zoning patterns or disproportionately impact the surrounding area, the town shall grant the reasonable accommodation request. If the town determines that a different reasonable accommodation would provide equal opportunity as described in subsection (1) above, the town may offer such alternative reasonable accommodation.
- (3) A decision of the town regarding a reasonable accommodation request may be appealed to the town's zoning board of adjustment in accordance with the procedures outlined in Section 14.02.405 of this code.
- (4) Following the approval of a reasonable accommodation for a community home in a residential district, the town may notify the owners of property located within two hundred feet (200') of the subject property that a community home is located at the subject property. Such notification shall include a copy of this section's regulations.

(j) Reporting Requirement. For any nursing facility, assisted living facility, or community home subject to state licensure, the town shall report to the any applicable state licensing authority any nursing facility, assisted living facility, or community home

that the town finds:

- (1) Is established or operating in the town without a state license;
- (2) Poses an immediate threat to the health and safety of one or more resident(s) of the assisted living facility; or
- (3) Is otherwise violating a provision of Chapters 242 or 247 of the Texas Health and Safety Code, as amended; Chapter 123 of the Texas Human Resources Code, as amended; or any rule, regulation, or standard governing nursing facilities, assisted living facilities, or community homes promulgated in accordance with said statutes.

(k) Enforcement.

- (1) Criminal enforcement. A violation of this chapter is a misdemeanor punishable by a fine not to exceed \$2,000 in accordance with this code. Each occurrence of a violation or each day that a violation continues shall constitute a separate offense. The failure to perform an act required by this chapter is a violation of this chapter.
- (2) Civil enforcement. The town may enforce this chapter by pursuing all civil remedies to which it is entitled by law, to include filing suit and recovering civil penalties pursuant to Chapter 54 of the Texas Local Government Code. The town may also institute suit to recover the cost of any actual damages incurred by the town, and any costs of response, remediation, abatement, and restoration incurred by the town as allowed under state or federal laws or at common law.”

SECTION 5.

Section A-1.003, “Community development department,” of Article 1.000, “General Provisions,” of Appendix A, “Fee Schedule,” of the Code of Ordinances, Town of Trophy Club, Texas, is hereby amended by adding a new Subsection (hh), “Nursing facilities, assisted living facilities, and community homes,” to read as follows:

“(hh) Nursing facilities, assisted living facilities, and community homes:

- (1) Permit application: \$300.
- (2) Legal review: Actual cost.
- (3) Inspection: \$150.
- (4) Reinspection: \$150.00 per each additional reinspection.
- (5) For use of outside consultants for inspections: Actual cost.”

SECTION 6.

This Ordinance shall be cumulative of all other provisions of ordinances of the Town, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 7.

All rights and remedies of the Town are expressly saved as to any and all violations of the provisions of any other ordinance affecting the subject matter of this Ordinance within the Town which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

SECTION 8.

The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 9.

It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

SECTION 10.

The Town Secretary of the Town of Trophy Club is hereby directed to publish the caption and penalty clause of this Ordinance as required by Section 3.16 of the Town's Charter.

SECTION 11.

This Ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

PASSED AND APPROVED by the Town Council of the Town of Trophy Club,
Texas, this __ day of _____, 2025.

Jeannette Tiffany, Mayor

ATTEST:

Tammy Dixon, Town Secretary

APPROVED AS TO FORM:

Dean Roggia, Town Attorney



**PLANNING & ZONING COMMISSION
COMMUNICATION**

MEETING DATE: September 4, 2025

FROM: Jackie Ross

AGENDA ITEM: Consider approval of the August 14, 2025, Planning & Zoning Commission meeting minutes. (Jackie Ross, Sr. Administrative Assistant)

BACKGROUND/SUMMARY: The Planning & Zoning Commission held a regular meeting on August 14, 2025.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. PZ Meeting Minutes 08.14.2025

ACTIONS/OPTIONS:

Move to approve the August 14, 2025, Planning & Zoning Commission regular meeting minutes.

Town of Trophy Club
Planning & Zoning Commission
Meeting Minutes
August 14, 2025, 6:30 p.m.
1 Trophy Wood Drive, Trophy Club, Texas 76262

CALL TO ORDER

Chairperson Biggs called the August 14, 2025, Planning & Zoning Commission meeting to order at 6:34 p.m.

COMMISSIONERS PRESENT

Michael Biggs, Chair
Mike Branum, Vice Chair
Reginald Barbarin, Place 4
Terry Kesterson, Place 5
Sean Holmes, Place 6

COMMISSIONERS ABSENT

Srinath Sadam, Place 1
Paul Jablonski, Place 2

STAFF MEMBERS PRESENT

Matt Cox, Director of Community Development
Jackie Ross, Sr. Administrative Assistant

PUBLIC COMMENTS

There were none.

REGULAR ITEMS

1. Case PD-AMD-25-003, PD 13 Amendment, Tract 1, Indoor Commercial Amusement Uses and Bar/Tavern Uses through a Specific use Permit (SUP)

Conduct a public hearing and consider a recommendation to the Town Council on a proposed rezoning application made by the Applicant, Pace Golf Lounge, to amend Planned Development District-13 (PD-13), Tract 1 to allow for Indoor Commercial Amusement uses and Bar/Tavern uses through a Specific Use Permit (SUP). The subject property is legally described as The Village at Trophy Club, Lot 1, approximately 3.79 acres, Denton County, Texas and is generally located at the northwest corner of

Trophy Club Drive and SH 114. The property is addressed as 2001 and 2003 E TX-114, Suite 200, Trophy Club, Texas.

i. Public Hearing

Chairperson Biggs opened the public hearing at 6:36 p.m.

Matt Cox, Director of Community Development, presented the staff report and responded to Commissioner questions.

Jordan Mittie, 14417 Padden Park Ln, Roanoke, Texas, representing Pace Golf Lounge, addressed the Commission.

No one spoke in favor or in opposition. Staff noted that a phone call was received earlier in the week from a resident within the 200-foot boundary to express opposition.

Chairperson Biggs closed the public hearing at 6:42 p.m.

ii. Recommendation

The Commissioners discussed the proposed Pace Golf Lounge layout. Questions were raised about occupancy and bar seating, with staff noting that occupancy remains below the threshold that would require additional restrooms, and that parking meets requirements. Staff confirmed the establishment is a tavern, not a full restaurant. Hours of operation were provided and are not considered late hours. Additionally, the lounge will offer membership with separate membership morning hours.

Vice-Chairperson Branum moved to recommend approval of PD-AMD-25-003, PD 13 Amendment, Tract 1, Indoor Commercial Amusement Uses and Bar/Tavern Uses through a Specific Use Permit to the Town Council.

Commissioner Kesterson seconded the motion.

Vote on Motion:

AYES: Branum, Biggs, Barbarin, Kesterson, Holmes
NAYES: None
ABSENT: Sadam, Jablonski
VOTE: 5-0-2

2. Case SUP-25-003, PD 13 Amendment, Tract 1, Pace Golf Lounge

Conduct a public hearing to consider a recommendation to the Town Council on a proposed rezoning application made by the Applicant, Pace Golf Lounge, for a Specific Use Permit (SUP) for a Bar/Tavern. The subject property is legally described as The Village at Trophy Club, Lot 1, approximately 3.79 acres, Denton County, Texas and is generally located at the northwest corner of Trophy Club Drive and SH 114. The property is addressed as 2001 E TX-114, Suite 200, Trophy Club, Texas.

i. Public Hearing

Chairperson Biggs opened the public hearing at 6:48 p.m.

Matt Cox, Director of Community Development, presented the staff report and responded to Commissioner questions.

Jordan Mittie, 14417 Padden Park Ln, Roanoke, Texas, representing Pace Golf Lounge, addressed the Commission.

No one spoke in favor or in opposition. Staff noted that a phone call was received earlier in the week from a resident within the 200-foot boundary to express opposition.

Chairperson Biggs closed the public hearing at 6:51 p.m.

ii. Recommendation

The Commissioners discussed the Bar/Tavern use. The applicant plans to offer virtual golf simulation bays for hourly rental and sell golf accessories and snacks, similar to a pro shop. They do not prepare food onsite but intend to partner with nearby restaurants to provide a refined menu. It was clarified that this service is considered delivery to the location.

Commissioner Kesterson moved to recommend approval of SUP-25-003, PD 13 Amendment, Tract 1, Pace Golf Lounge to the Town Council.

Commissioner Holmes seconded the motion.

Vote on Motion:

AYES: Branum, Biggs, Barbarin, Kesterson, Holmes

NAYES: None

ABSENT: Sadam, Jablonski

VOTE: 5-0-2

3. Case ZA-25-001, Zoning Ordinance Amendment, Zoning Board of Adjustment Waiting Period.

Conduct a public hearing and consider a recommendation on a proposed text amendment to the Code of Ordinances, Chapter 14., Section 14.02.405 Zoning board of adjustment., (j) Waiting period., to reduce the waiting period from one (1) year to four (4) months.

i. Public Hearing

Chairperson Biggs opened the public hearing at 6:53 p.m.

Matt Cox, Director of Community Development, presented the staff report and responded to Commissioner questions.

Bill Allen, 209 Inverness Drive, spoke in favor of the proposed text amendment, and had also submitted an email prior to the meeting.

Chairperson Biggs closed the public hearing at 6:57 p.m.

i. Recommendation

The Commissioners discussed the role of the Zoning Board of Adjustment (ZBA), including its authority and the requirement for applicants to demonstrate a hardship. There was general support for reducing the proposed four-month waiting period to three months, 90 days, or even 45 days, as this would provide quicker relief while still allowing adequate preparation time. Staff noted that cases are reviewed before reaching the ZBA. The Town's goal is to improve overall efficiency.

Commissioner Kesterson moved to recommend approval of ZA-25-001, Zoning Ordinance Amendment, Zoning Board of Adjustment Waiting Period, to three months/90 days to the Town Council.

Commissioner Holmes seconded the motion.

Vote on Motion:

AYES: Branum, Biggs, Barbarin, Kesterson, Holmes

NAYES: None

ABSENT: Sadam, Jablonski

VOTE: 5-0-2

4. Consider approval of the July 10, 2025, Planning & Zoning Commission meeting minutes.

Vice-Chairperson Branum moved to approve the July 10, 2025, Planning & Zoning Commission meeting minutes.

Commissioner Kesterson seconded the motion.

Vote on Motion:

AYES: Branum, Biggs, Barbarin, Kesterson, Holmes

NAYES: None

ABSENT: Sadam, Jablonski

VOTE: 5-0-2

5. Consider approval of the July 24, 2025, Planning & Zoning Commission and Zoning Board of Adjustment Joint Work Session minutes.

Commissioner Kesterson moved to approve the July 24, 2025, Planning & Zoning Commission and Zoning Board of Adjustment Joint Work Session minutes.

Vice-Chairperson Branum seconded the motion.

Vote on Motion:

AYES: Branum, Biggs, Barbarin, Kesterson, Holmes

NAYES: None

ABSENT: Sadam, Jablonski

VOTE: 5-0-2

ADJOURNMENT

There being no further business, Chairperson Biggs adjourned the meeting at 7:14 p.m.

Chairperson Michael Biggs
Planning & Zoning Commission

Jackie Ross, Sr. Administrative Assistant
Town of Trophy Club, TX