



Minutes
Planning and Zoning Meeting
March 9, 2026

On this 9th day of March 2026, at 6:00 p.m., the Planning & Zoning Commission of the City of Devine convened in a Regular Meeting, the same being open to the public, at the Dr. George S. Woods Community Center, 200 E. Hondo Avenue, Devine Texas 78016. Notice of said meeting having been prescribed in Chapter 551, Government Code, and Vernon's Texas Codes, annotated, and the following members being present:

Doug Wilkins, Chairman
Mike Herring
Scott Herring
Fred Morales
Onis Wiemers
Jim Soret
Chuck Guzman (absent)

Thus, constituting a quorum. Commissioner Chuck Guzman absent.

Personnel Present: David L. Jordan, City Administrator; Michelle Martin, City Secretary; Pete Sanchez, Director of Public Works; Juanita Romero, Director Permits/Code Enforcement, Brandon Melland, City Planner, Melland & City

Commissioner Wilkins called the meeting to order at 6:03pm.

The second order of business was to approve the meeting minutes from January 12, 2026. Commissioner Herring made a motion to approve the meeting minutes from January 12, 2026. Commissioner Soret seconded the motion. Motion passes 6-0. Commissioner Chuck Guzman absent.

The third order of business was to administer the oath of office for the new Planning and Zoning Commissioner Jim Soret. Mayor Cook administered the oath of office for the new Planning and Zoning Commissioner Jim Soret prior to the start of the meeting.

The fourth order of business was to discuss and consider a future ordinance for tiny homes. Juanita Romero Permits/Code Enforcement Director introduced City Planner Brandon Melland who attended the meeting via Zoom.

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- Melland explained that tiny homes are generally defined as structures containing 400 square feet or less and distinguished them from manufactured homes, which are constructed according to federal HUD standards.
- Melland reported that the City's current zoning regulations do not specifically define or address tiny homes or tiny-home communities.
- Since the current zoning ordinance does not list tiny homes as a permitted use, they are not currently allowed. However, the zoning ordinance can be amended to specifically define and address tiny homes in order to eliminate ambiguity and strengthen the City's regulatory position.
- There are two primary ways in which tiny homes could be proposed within the city limits such as individual tiny homes located on separately platted residential lots or parks containing multiple units on a single development site.
- Mr. Melland reviewed potential benefits and concerns associated with tiny homes.
- Some of the potential benefits include providing an additional form of affordable housing and creating more housing options for workers and residents.
- Concerns include reduced property-tax revenue, the potential demand on municipal services, the effect on surrounding property values and neighborhood character.

Planning and Zoning Commissioners expressed significant concern regarding the potential effect of tiny homes on the City's tax base. They also discussed the City's need for additional residential development that would increase property values and generate sufficient revenue to support police, fire, infrastructure, and other municipal services.

They also discussed the current minimum residential square-footage requirements for homes contained in the City's zoning regulations. It currently states that the minimum size for a home is 600 square feet. Commissioner Morales suggested that the minimum residential square-footage requirement should be increased to approximately 1,050 square feet support city services and future growth.

Several Commissioners stated that, given the city's current financial and development needs, they did not believe tiny homes or tiny-home communities would be beneficial to the City at this time.

Chairman Wilkins discussed whether tiny homes could potentially be limited to designated areas rather than permitted throughout the city. Melland explained that other communities have taken different approaches, including prohibiting tiny homes, allowing them only in specific zoning districts, or requiring special zoning approval and enhanced development standards.

Melland further stated that, based on his experience, many tiny-home developments are located outside municipal boundaries where regulations may be less restrictive. He reported that he was not aware of a consistent approach among surrounding communities and stated that the City of Devine had received a disproportionate number of recent inquiries regarding tiny homes.

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PUBLIC COMMENTS

Rick Marcum, of 604 North Cardinal Drive, Devine, Texas, addressed the P& Z Commissioners. He referenced an existing tiny-home development located outside the city limits. He encouraged the Commissioners to consider the appearance and impact of similar developments when determining whether they should be permitted within the city limits. Another comment was made by the public that suggested that, if tiny-home developments were allowed, the City should consider ways to ensure that the development generated sufficient revenue to offset its impact on municipal services.

Commissioner Morales made a motion to amend the City's minimum residential structure size from 600 square feet to 1,050 square feet.

City Administrator Jordan asked what does the law state in regards to tiny homes. Melland stated that to his knowledge there are no state laws limiting cities in prohibiting them. Now on manufactured homes, state law does prohibit cities on not allowing them.

Melland advised that increasing the minimum square footage alone might not fully address the Commissioners' concerns. He recommended that the zoning ordinance specifically define tiny homes and clearly state where they are permitted. He further recommended coordinating with the City Attorney to ensure that any proposed regulations comply with state law and prevent tiny homes from being classified as another type of permitted residential structure.

Melland suggested that the Commissioners consider directing the City Manager and City Planner to work with the City Attorney to draft ordinance language limiting tiny homes to the maximum extent permitted by state law.

The motion did not receive a second and died for lack of a second. No further action was taken by the Planning and Zoning Commissioners.

Although no formal action was taken, the Commissioners expressed general consensus that City staff should work with the City Planner and City Attorney to prepare a proposed zoning ordinance amendment that:

- Ordinances on defining tiny homes.
- Clearly distinguish tiny homes vs manufactured homes.
- Address the placement of tiny homes on individual lots.
- Limit or prohibit tiny homes to the maximum extent legally permissible.

The proposed ordinance language will be presented to the Planning and Zoning Commission at a future meeting for review and consideration.

The fifth order of business was to discuss and consider a future ordinance for Airbnb's. Planning and Zoning Commissioners discussed the possible development of regulations governing Airbnb's and other short-term rentals within the City of Devine. Some of the key points discussed were:

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- There is no current ordinance on regulating Airbnb's in the City of Devine, so it isn't allowed.
- They can generate both property-tax revenue and hotel occupancy tax revenue.
- If properly regulated, short-term rentals could provide a financial benefit to the City.
- Melland defined what Airbnb's are and how they have evolved over the years.

Melland agreed that short-term rentals and tiny homes present significantly different policy considerations. He confirmed that short-term rentals may generate hotel occupancy tax revenue but cautioned that allowing them without appropriate regulations could alter the character of residential neighborhoods.

Commissioner Herring shared his personal experience in managing an Airbnb and how it can benefit the hotel motel tax for the City of Devine. He also asked about existing short-term rentals that may already be operating within the city. Melland stated that, in his opinion, short-term rentals are not currently permitted in the city's single-family residential zoning districts. He recommended that the City adopt clear regulations so property owners and investors can easily determine where short-term rentals are permitted and what requirements apply.

Other items discussed were:

- Commissioner Wilkins asked if the City keeps records of rental properties in the City of Devine. Juanita Romero, City Permits Director said that we currently do not keep track of this.
- Commissioner Morales asked if we have listed requirements of Single-Family Homes before someone can rent a place? Melland said there currently isn't anything specific for rentals. There are building codes in the City's ordinances that regulate plumbing, electrical, and structural requirements
- Safety standards for rental properties were also discussed.
- Melland explained that the City's adopted building codes establish minimum standards for new construction and that the City may respond to unsafe or substandard structures. However, the City does not currently conduct routine inspections of all owner-occupied or long-term rental homes.

Melland stated that many cities treat short-term rentals differently because members of the general public regularly occupy the properties. He recommended that the City consider regulatory requirements such as:

- Registration of short-term rental properties.
- Certificates of occupancy or safety inspections.

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- Minimum property and safety standards.
- Adequate off-street parking.
- Occupancy limitations.
- Noise and activity restrictions.
- Collection of applicable hotel occupancy taxes.

The Planning and Zoning Board expressed general support for allowing short-term rentals within the city, provided they are appropriately regulated and managed.

Commissioners discussed whether short-term rentals should be allowed citywide or limited to certain areas. The P&Z Board expressed concern about placing unnecessary restrictions on existing investments but also emphasized the importance of protecting established residential neighborhoods.

P&Z Board discussed the possibility of a clear and well-managed regulatory system that could encourage investment in higher-quality lodging opportunities within the city.

The Planning and Zoning Board reached a general consensus that:

- Short-term rentals should be permitted in some form within the city.
- Short-term rentals should be clearly defined in the zoning ordinance.
- The City should establish appropriate registration and regulatory requirements.
- The City should address parking, noise, occupancy, safety, and neighborhood compatibility.
- Applicable hotel occupancy taxes should be collected.
- Regulations should protect established neighborhoods while allowing appropriate short-term rental investment.

Planning and Zoning Board directed Melland and City Administrator Jordan to develop recommendations and proposed ordinance language addressing short-term rentals. The proposed regulations will be presented to the Planning and Zoning Commission at a future meeting for further review before any recommendation is forwarded to the City Council.

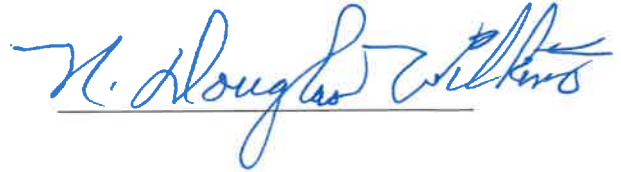
Mayor Cook asked the Planning and Zoning Board to come to a consensus on how they feel about short-term rentals and some of their big concerns to present to Council. This will allow for the ordinance to be properly structured. Commissioner Morales stated that they will wait on the recommendations from City Planner Melland and City Administrator Jordan and then propose to Council on next steps.

No formal action was taken by the Planning and Zoning Commission.

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The sixth order of business to was adjourn.

Commissioner Herring made a motion to adjourn the meeting. Commissioner Morales seconded the motion. Motion passes 6-0. Commissioner Guzman absent. Meeting was adjourned at 7:22pm.

A handwritten signature in blue ink, reading "N. Douglas Wilkins", written over a horizontal line.

Chairman

A handwritten signature in blue ink, reading "Michele H. Math", written over a horizontal line.

City Secretary