



City of Garden Ridge

"A way of life, not just a place to live"

PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, JUNE 12, 2018, 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in a regular meeting at 6:00 p.m., Tuesday, June 12, 2018 in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on June 8, 2018 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretive services must be made to the City Secretary 48 hours prior to this meeting.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Citizen Comment Period – limited to 30 minutes total

Rules for Citizens' Participation:

The Planning and Zoning Commission welcomes citizen participation and comments at all Commission Meetings. The Commission offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, you follow these guidelines:

- a) Respect and courtesy:
 - i. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
 - ii. Show the Commission the same respect that you would like to be shown.
 - iii. End your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period
 - a. You are required to sign up to speak.
 - b. You are limited to one 3 minute period.
 - ii. Business item period
 - a. You are required to sign up to speak.
 - b. You are limited to one 3 minute period.
 - iii. Second citizen comment period
 - a. You are not required to sign up.
 - b. You are limited to one 2 minute period.
 - iv. State your name and address before your comments begin.
 - v. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the

*meeting. However, any discussion of the subject **must be limited** to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the Commission is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.*

5. Business Items

The following items are for discussion, consideration and action.

a) Approvals

- i. Approval of Minutes for May 8, 2018 Planning and Zoning Commission Regular Meeting.
- ii. Receive recommendations and consideration of appointment of Planning and Zoning Commission Chair and Vice Chair term expiring September 30, 2018.
- iii. Planning and Zoning Commission Place 6 vacancy (term expiring September 30, 2019).
 - a. Interview possible candidate/candidates.
 - b. Make a recommendation to the City Council for appointment of Commissioner.
- iv. An Ordinance of the City Council of the City of Garden Ridge, Texas amending the Comprehensive Planning and Zoning Ordinance for the City, establishing zoning regulations; providing policies and procedures pursuant to the Texas Local Government Code; comprehensive zoning district regulations; zoning map; general provisions; use, height and area regulations; special uses and structures; conditional uses; site plans; visual screening; off-street parking and loading regulations; non-conforming buildings and uses; zoning district boundary verification procedures; zoning of annexed areas; administrative rules and procedures; definitions; appendices; providing other provisions relating to the subject; providing for the administration, enforcement, and amendment thereof; providing a savings clause and for the repeal of all other ordinances in conflict herewith; prescribing a penalty for violations and establishing each day of such violation as a separate offense; providing for severability; and providing an effective date.
 - a. Receive proposed changes and review the proposed Ordinance.
 - b. Discuss and make possible recommendation on future meetings or direction regarding Ordinance development process.

b) Discussions/Reports

- i. Items discussed at the June 6, 2018 City Council Regular Meeting.
- ii. Discussion of Future Agenda Items.
 - a. Commissioners input on items.
 - b. Announce the date, time and location for next meeting (July 10, 2018 at 6:00 p.m. at City Hall).

6. Citizen's Participation: - limited to 20 minutes total.

See “Rules for Citizen’s Participation” under Item 4.

7. Adjournment

AGENDA NOTICES:

Decorum Required:

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Council Authorized:

The Council may vote or act upon any item within this Agenda. The Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matter listed below, as authorized by Title 5, Chapter 55, of the Texas Government Code.

Executive Sessions Authorized:

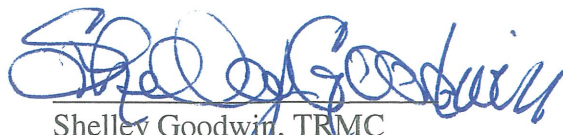
This agenda has been reviewed and approved by the City’s legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance By Other Elected or Appointed Officials:

It is anticipated that members of the other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.


Shelley Goodwin, TRMC
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 3:15 p.m. on June 5, 2018 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Shelley Goodwin, TRMC
City Secretary



**MINUTES OF PLANNING & ZONING COMMISSION
REGULAR MEETING
TUESDAY, MAY 8, 2018**

Commissioners present:

Vice Chair Dr. Jim Miller
Commissioner Karen Diaz
Commissioner David Heier
Commissioner Kitty Owen
Commissioner David Ringle

Commissioners Absent:

Chair Shawn Willis
Commissioner Mark Hausheer-excused

Also Present:

Nancy Cain, City Administrator
Cynthia Trevino, City Attorney
Marissa Spencer, Police Clerk

1. Call to Order

With a quorum of the Planning and Zoning Commission Members present, Dr. Jim Miller, Vice Chair called the Regular Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:03 p.m. on Tuesday, May 8, 2018 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance

Dr. Miller, Vice Chair, led the pledge of allegiance.

3. Citizen Comments

Kerri Theriault, 19722 Bat Cave Road, spoke about the need for a screened in porch at her residence.

4. Business Items

a) Approvals

i. Approval of Minutes for April 10, 2018 Planning and Zoning Commission Regular Meeting

Motion: Upon a motion made by Commissioner Diaz, and seconded by Commissioner Heier, to approve the Minutes for April 10, 2018 Planning and Zoning Commission Regular Meeting. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion passed unanimously.

ii. Resignation of Shawn Willis, Chair and Commissioner Place 6.

a. Make a recommendation to City Council regarding resignation.

Motion: Upon a motion made by Commissioner Heier, and seconded by Commissioner Diaz, to recommend to the City Council the acceptance of the resignation of Shawn Willis, Chair and Commissioner Place 6. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion passed unanimously.

- iii. A petition by David and Kerri Theriault for a variance to Ordinance 13-062017, Section 5, Residential, Paragraph 5.1.7.2.4.2, Interior Lots, there shall be a side yard of all interior lots of not less than fifteen (15) feet. The petition is for the encroachment of three (3) feet into the fifteen (15) foot side yard for the construction of a sunroom at 19722 Bat Cave Road, Garden Ridge, Texas 78266 and further described as Lot 1A, Block 1, The Park at Garden Ridge.**

a. Presentation by petitioner.

David Theriault, 19722 Bat Cave Road, reviewed his variance request. He is requesting a variance so he can enclose a side porch so his handicap daughter can enjoy being outside. The foundation of the porch with access ramp is encroaching 3 feet within the 15 foot side yard setback and without the variance, the porch cannot be built.

The Planning and Zoning Commission inquired to the distance from his house to his neighbor's house, fencing between the homes, why screen in this porch and not the other porches.

Mr. Theriault answered the Commission's questions by stating there is 65' between the two homes and his home is 30' away from his neighbor's 15' side setback. He stated his neighbor has a 4' wooden slat fence and he is planning to screen all porches, but the one related to this request is next to his daughter's bedroom.

b. Hold and public hearing to receive comments for or against the petition.

Dr. Miller, Vice Chair, opened the public hearing at 6:21 p.m. and asked if anyone wished to speak. No one wished to speak. Dr. Miller, Vice Chair, closed the public hearing at 6:21 p.m.

c. Discussion and make a recommendation to the City Council.

The Planning and Zoning Commission discussed the 15' side yard setback and the need for the variance request.

Motion: Upon a motion made by Commissioner Ringle, and seconded by Commissioner Heier, to recommend to City Council the acceptance of the petition by David and Kerri Theriault for a variance to Ordinance 13-062017, Section 5, Residential, Paragraph 5.1.7.2.4.2, Interior Lots, there shall be a side yard of all interior lots of not less than fifteen (15) feet. The petition is for the encroachment of three (3) feet into the fifteen (15) foot side yard for the construction of a sunroom at 19722 Bat Cave Road, Garden Ridge, Texas 78266 and further described as Lot 1A, Block 1, The Park at Garden Ridge. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion passed unanimously.

- iv. An Ordinance of the City Council of the City of Garden Ridge, Texas amending the Comprehensive Planning and Zoning Ordinance for the City, establishing zoning regulations; providing policies and procedures pursuant**

to the Texas Local Government Code; comprehensive zoning district regulations; zoning map; general provisions; use, height and area regulations; special uses and structures; conditional uses; site plans; visual screening; off-street parking and loading regulations; non-conforming buildings and uses; zoning district boundary verification procedures; zoning of annexed areas; administrative rules and procedures; definitions; appendices; providing other provisions relating to the subject; providing for the administration, enforcement, and amendment thereof; providing a savings clause and for the repeal of all other ordinances in conflict herewith; prescribing a penalty for violations and establishing each day of such violation as a separate offense; providing for severability; and providing an effective date.

a. Receive proposed changes and review the proposed Ordinance.

Cynthia Trevino, City Attorney, thanked those Commissioners who were able to attend the AACOG's Planning and Zoning Training 101 Workshop.

The Planning and Zoning Commission reviewed the proposed Table of Contents and asked to see the ordinance so they can understand how it will match up. They also discussed a Use Chart that could be used to reduce verbiage and reflect what is allowed and what isn't allowed in zoning districts. They also inquired to what the expectations of the Commission are in this process.

Ms. Trevino stated the City Council wants the Planning and Zoning Commission to recommend what type of regulations should be allowed and support the Master Land Use Plan. She also stated the Commission should consider the architectural design standards meet the City's image.

The Planning and Zoning Commission recommended each Commissioner look at other cities definitions and architectural design standards. They also discussed adding definitions:

- Assisted living
- Manufactured homes
- Structure
- Short term rentals

They also discussed different sections of R1 Low-Density Residential:

- 7.1.5.1
- 7.1.6.8
- 7.1.6.9
- 7.1.8.4

b. Discuss and make possible recommendation on future meetings or direction regarding Ordinance development process.

The Planning and Zoning Commission discussed holding additional workshops. The City Administrator will send out dates and times when additional workshops can be held. The Commission also recommended including discussion on technology workshop at the next workshop.

b) Discussions/Reports

i. Items discussed at the May 2, 2018 City Council Regular Meeting.

Nancy Cain, City Administrator, reported the City Council adopted a Resolution implementing the Master Land Use Plan and created the deadline for the revisions to the City's zoning and subdivision ordinances for October 1, 2018.

Dr. Miller, Vice Chair, questioned why need for workshop with time extension on ordinances.

The Commission held a discussion on doing homework and getting comments into staff.

ii. Discussion of Future Agenda Items

- Annexation (Diaz)

a. Set date, time and location for next meeting (June 12, 2018)

Dr. Miller, Vice Chair, announced the next Planning and Zoning Commission Regular Meeting is scheduled for June 12, 2018, at 6 p.m. in the City Council Chambers.

4. Citizen's Participation: - 20 minute limit.

Kay Bower, 8947 Garden Ridge Dr., spoke regarding structures, outbuildings, and parking of farm equipment and trucks as they relate to the zoning ordinance.

5. Adjournment

Motion: Upon a motion made by Commissioner Owen, and seconded by Commissioner Ringle, the meeting was adjourned at 8:15 p.m.

Dr. Jim Miller, Vice Chair

ATTEST:

Shelley Goodwin, TRMC
City Secretary

Future Agenda Items

Planning and Zoning Commission

July 10 2018

Agenda deadlines:

14 days before Meetings	(6/26/18)	Planning & Zoning Commission and Staff items are due
11 days before Meetings	(6/29/18)	Planning & Zoning Commission Chair review agenda.
		City Attorney is sent the agenda to approval
7 days before Meetings	(7/3/18)	Post Agenda on bulletin board
		Planning and Zoning Commission will receive packet (allowing a day and half for corrections and additional information to be added)
5 days before Meetings	(7/5/18)	Post Agenda Packet to City Website @ noon

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Red=City Council Purple=Quarry Commission
 Planning & Zoning =Green Water Commission= Blue
 Pink=Impact Fee Committee
 Wildlife Management Advisory Commission=Brown
 City Events= Holiday-July 4th Celebration and Parade

Sun	Mon	Tues	Wed	Thur	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	0	0		

Approval

- Minutes 6-12-18

Petition/Public Hearings/Recommendation

- Zoning Ordinance and Subdivision Ordinance

Discussion/Reports

- City Council Update
- Future Agenda Items
 - Announce next meeting August14, 2018.
- Education Plan

Executive Session

August 14, 2018

Agenda deadlines:

14 days before Meetings	(7/31/18)	Planning & Zoning Commission and Staff items are due
11 days before Meetings	(8/3/18)	Planning & Zoning Commission Chair review agenda. City Attorney is sent the agenda to approval
7 days before Meetings	(8/7/18)	Post Agenda on bulletin board Planning and Zoning Commission will receive packet (allowing a day and half for corrections and additional information to be added)
5 days before Meetings	(8/8/18)	Post Agenda Packet to City Website @ noon
3 days before Meetings	(8/10/18)	(72 hours) – Local Government Code requirement for posting

Red=City Council Purple=Quarry Commission
Planning & Zoning =Green Water Commission= Blue
Pink=Impact Fee Committee
Wildlife Management Advisory Commission=Brown
City Events=

Sun	Mon	Tues	Wed	Thur	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Approval

- Minutes 7-14-18

Petition/Public Hearings/Recommendation

Discussion/Reports

- City Council Update
- Future Agenda Items
 - Set next meeting (if necessary) September 11, 2018 @ 6

Executive Session

PENDING FUTURE AGENDA ITEMS

1. MLUP Ordinance clean up (*Trevino*)
2. Public Forum Board (*Ringle*)
3. Annexation (*Diaz*)