



## AGENDA PLANNING AND ZONING COMMISSION REGULAR MEETING THURSDAY, DECEMBER 20, 2018, 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in a regular session on Thursday, December 20, 2018, at 6:00 p.m. 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 December 17, 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 interpretative 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
  1. You are required to sign up to speak.
  2. You are limited to one 3-minute period.
- ii. Business item period
  1. You are required to sign up to speak.
  2. You are limited to one 3-minute period.
- iii. Second citizen comment period
  1. You are not required to sign up.
  2. 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 Commission may discuss, consider, and/or take action on the following items:

- a) Approvals/Recommendations.
  - i. Approval of Minutes for November 15, 2018, Planning and Zoning Commission Regular Meeting.
- b) Discussions/Reports/Updates.
  - i. Update on meeting with Freese and Nichols, Inc. for Zoning and Subdivision Ordinance rewrite assistance.
  - ii. 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.
    - 1. Receive proposed changes and review the proposed Ordinance.
    - 2. Discuss and make possible recommendation on future meetings or direction regarding Ordinance development process.
- c) Future Agenda Items.
  - i. Commissioners input on agenda items.
  - ii. Announce the date, time, and location for next meeting (January 8, 2019, at 6:00 p.m. at City Hall).

## 6. **Citizen Comment Period** – 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 above, as authorized by Title 5, Chapter 551, 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.

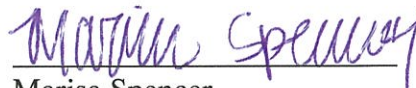
**Attendance By Other Elected or Appointed Officials:**

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.



Marisa Spencer  
Interim City Secretary

This is to certify that I, Marisa Spencer, posted this Agenda at 1:00 p.m. on December 13, 2018, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.



Marisa Spencer  
Interim City Secretary



# City of Garden Ridge

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

## MINUTES PLANNING AND ZONING COMMISSION REGULAR MEETING THURSDAY, NOVEMBER 15, 2018, 6:00 P.M.

### **Commissioners Present:**

Chair Dr. Jim Miller  
Vice-Chair Mark Hausheer  
Commissioner Kitty Owen  
Commissioner David Ringle  
Commissioner David Heier  
Commissioner David Dauer

### **Commissioners Absent:**

Commissioner Karen Diaz (Voluntary Announced Absence)

### **City Staff Present:**

Nancy Cain, City Administrator  
Cynthia Trevino, City Attorney  
Marisa Spencer, Interim City Secretary

### **Other City Councilmembers or Commissioners Present:**

Andre Bullard, Water Commissioner

### **1. Call to Order**

With a quorum of the Planning and Zoning Commission Members present, Chair Dr. Miller, called the regular meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00 p.m. on Thursday, November 15, 2018, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

### **2. Roll Call**

See above.

### **3. Pledge of Allegiance**

Chair Dr. Miller led the Pledge of Allegiance.

### **4. Citizen Comment Period – limited to 30 minutes total**

No one signed up to speak.

### **5. Business Items**

**The Commission may discuss, consider/or take possible action on the following items:**

#### **a) Discussions/Reports/Updates.**

##### **i. Update on assistance regarding Zoning and Subdivision Ordinance rewrites.**

The Commission discussed their objectives and priorities for Freese and Nichols, Inc. regarding the Zoning and Subdivision Ordinance rewrites. The Commission also discussed how the TxDOT expansion of FM 2252 could impact the Zoning and Subdivision Ordinance rewrites.

- ii. **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.**

- 1. Receive proposed changes and review the proposed Ordinance.**

Chair Dr. Miller stated the Commission's homework was to go over the Light Retail and Light Industrial sections. The Commissioners contributed their comments and suggestions regarding the Light Retail and Light Industrial sections. The Commission also discussed the C-1 Light Retail District draft.

**Motion:** A motion was made by Commissioner Ringle to pass Section 7 Light Industrial District as written. There was no second; therefore, the motion died.

Commissioner Ringle made a motion of inquiry or point of order for suspension of rules for five (5) minutes. Commissioner Ringle stated this does not need a second or a vote and can only be dismissed or agreed to by the Chair. Chair Dr. Miller agreed. Commissioner Ringle stated he was trying to put out generalized motions as a main motion hoping that other Commissioners would make subordinate motions to amend his main motion. Commissioner Ringle also discussed the use of privileged motions. To conclude the discussion, Chair Dr. Miller stated the rules are now back in play.

Cynthia Trevino, City Attorney, clarified that the City has not formally adopted Robert's Rules of Order and they are used as a guide.

- 2. Discuss and make possible recommendation on future meetings or direction regarding Ordinance development process.**

Cynthia Trevino suggested to delete sections 7.1.1.1. – 7.1.1.3. from current Ordinance 13-062017 then this section would be ready to be recommended to Freese and Nichols, Inc. for their review.

**Motion:** A motion was made by Commissioner Ringle, seconded by Commissioner Owen, to remove section 7.1.1.1. – 7.1.1.3. from current Ordinance 13-062017. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

**Motion:** A motion was made by Commissioner Ringle, seconded by Commissioner Heier, to add section 7.1.4.5. to current Ordinance 13-062017 that states "minimum lot frontage width: 120 feet". The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

**Motion:** A motion was made by Commissioner Owen, seconded by Vice-Chair Hausheer, to modify section 7.1.5. of current Ordinance 13-062017 to increase impervious cover to 56%. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

**Motion:** A motion was made by Commissioner Ringle, seconded by Commissioner Heier, to send this document as proposed with said amendments to Freese and Nichols, Inc. for review. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

**Motion:** A motion was made by Commissioner Heier, seconded by Commissioner Owen, to eliminate the Masonry construction section in C-1 Light Retail District draft. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

**b) Future Agenda Items.**

**i. Commissioners input on agenda items.**

Commissioner Dauer suggested to do more research about the allowance of tilt walls, adding that Freese and Nichols, Inc. could possibly provide further information.

Chair Dr. Miller stated he would complete his draft of site design standards/architectural design standards before the next meeting. He also stated that Commissioner Diaz will be back for the next meeting for the Commission to continue discussing the Light Retail District with the hopes of completing that section. Chair Dr. Miller suggested the Commission look at other cities Light Retail Districts standards and prohibited uses.

Chair Dr. Miller requested to add the outcome of the Freese and Nichols, Inc. meeting to the agenda once that meeting has been scheduled.

**ii. Announce the date, time, and location for next meeting (December 11, 2018, at 6:00 p.m. at City Hall).**

Chair Dr. Miller announced the next Planning and Zoning Commission regular meeting will be held on Tuesday, December 11, 2018, at 6:00 p.m. at City Hall.

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

No one wished to speak.

**7. Adjournment**

**Motion:** A motion was made by Commissioner Owen, seconded by Commissioner Dauer, to adjourn. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Thursday, November 15, 2018, Planning and Zoning Commission Regular Meeting was adjourned at 8:10 p.m. by Chair Dr. Miller.

---

Dr. Jim Miller, Chair

ATTEST:

---

Marisa Spencer  
Interim City Secretary

### Planning and Zoning Commission Attendance

| Commissioner | 2/13/18<br>Regular<br>Meeting | 3/13/18<br>Regular<br>Meeting | 4/10/18<br>Regular<br>Meeting | 5-10-18<br>Regular<br>Meeting | 6-12-18<br>Regular<br>Meeting | 7-10-18<br>Regular<br>Meeting | 8/10/18<br>Special<br>Meeting | 8/14/18<br>Regular<br>Meeting | 08/27/18<br>Special<br>Meeting | 9/11/18<br>Regular<br>Meeting | 10/9/18<br>Regular<br>Meeting | 11/13/18<br>Regular<br>Meeting | 11/15/18<br>Regular<br>Meeting | 12/11/18<br>Regular<br>Meeting | 12/20/18<br>Regular<br>Meeting |
|--------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|--------------------------------|-------------------------------|-------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| Miller       | P                             | P                             | P                             | P                             | P                             | P                             | P-QNM                         | P                             | P                              | P                             | P                             | P                              | P                              | P                              |                                |
| Diaz         | P                             | P                             | P                             | P                             | VAA                           | P                             | P-QNM                         | P                             | P                              | P                             | P                             | VAA                            | VAA                            | P                              |                                |
| Hausheer     |                               | P                             | P                             | VAA                           | P                             | P                             | P-QNM                         | P                             | P                              | P                             | P                             | P                              | P                              | P                              |                                |
| Ringle       | P                             | P                             | P                             | P                             | P                             | P                             | UA                            | UA                            | P                              | P                             | P                             | P                              | P                              | VAA                            |                                |
| Heier        | P                             | P                             | P                             | P                             | P                             | VAA                           | P-QNM                         | P                             | P                              | UA                            | P                             | P                              | P                              | P                              |                                |
| Dauer        |                               |                               |                               |                               |                               |                               |                               |                               |                                |                               |                               | P                              | P                              | P                              |                                |
| Owen         | P                             | P                             | E                             | P                             | VAA                           | UA                            | VAA                           | P                             | P                              | P                             | P                             | P                              | P                              | P                              |                                |

|       |                                         |
|-------|-----------------------------------------|
| P     | Present                                 |
| P-QNM | Present but quorum not met              |
| E     | Excused for reasons allowed in Ord. 210 |
| VAA   | Voluntary Announced Absence             |
| UA    | Unannounced Absence                     |
|       | Not member yet                          |

**Planning and Zoning Commission's Attendance at City Council Regular Meeting**

[illegible]

# Future Agenda Items

## Planning and Zoning Commission

### January 8, 2019 Regular Meeting

|                        |            |                                                                                                                                                                 |
|------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18 days before Meeting | (12/21/18) | Commission and Staff items are due                                                                                                                              |
| 13 days before Meeting | (12/26/18) | City Administrator and Chair review agenda. City Attorney is sent the agenda for approval.                                                                      |
| 6 days before Meeting  | (01/02/19) | Post Agenda on bulletin board and Commission will receive packet<br>(allowing a day and half for corrections and to request additional information to be added) |
| 5 days before Meeting  | (01/03/19) | Post Agenda Packet to City Website                                                                                                                              |
| 4 days before Meeting  | (01/04/19) | (72 hours) – Local Government Code requirement for posting                                                                                                      |

City Council = Red

Impact Fee Committee = Pink

Quarry Commission = Purple

Planning & Zoning = Green

Water Commission = Blue

Wildlife Management Advisory Commission = Brown

New Year's Day Holiday= City Events

MLK Holiday= 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

1. Minutes 12-11-18

#### Petition/Public Hearings/Recommendation

#### Discussion/Reports

1. City Council Update
2. Future Agenda Items
  - a. Set next meeting (if necessary) January 17, 2019 @ 6

#### Executive Session

# January 17, 2019

## Regular Meeting

|                        |            |                                                                                                                                                                 |
|------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14 days before Meeting | (01/03/19) | Commission and Staff items are due                                                                                                                              |
| 9 days before Meeting  | (01/08/19) | City Administrator and Chair review agenda. City Attorney is sent the agenda for approval.                                                                      |
| 7 days before Meeting  | (01/10/19) | Post Agenda on bulletin board and Commission will receive packet<br>(allowing a day and half for corrections and to request additional information to be added) |
| 6 days before Meeting  | (01/11/19) | Post Agenda Packet to City Website                                                                                                                              |
| 3 days before Meeting  | (01/14/19) | (72 hours) – Local Government Code requirement for posting                                                                                                      |

City Council = Red

Impact Fee Committee = Pink

Quarry Commission = Purple

Planning & Zoning = Green

Water Commission = Blue

Wildlife Management Advisory Commission = Brown

New Year's Day Holiday= City Events

MLK Holiday= 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 12-20-18

### Petition/Public Hearings/Recommendation

### Discussion/Reports

- Future Agenda Items
  - Set next meeting (if necessary) February 12, 2019 @ 6

### Executive Session

### PENDING FUTURE AGENDA ITEMS

- MLUP Ordinance clean up (Trevino)
- Freese and Nichols, Inc.