



City of Garden Ridge

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

AGENDA PLANNING AND ZONING COMMISSION REGULAR MEETING THURSDAY, JANUARY 17, 2019, 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in a regular session on Thursday, January 17, 2019, 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 January 14, 2019, 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 December 20, 2018, Planning and Zoning Commission Regular Meeting.

b) Discussions/Reports/Updates.

- i. Update on Freese and Nichols, Inc. for Zoning and Subdivision Ordinance rewrite assistance.
- ii. Ordinance No. 210-022018 An Ordinance of the City Council of the City of Garden Ridge adopting board and commission policy and procedures; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.
- iii. TxDOT expansion layout as it pertains to the City of Garden Ridge.
- iv. Ordinance No. 13-122018 An amended comprehensive Planning and Zoning Ordinance for the City of Garden Ridge, Texas; establishes a Planning and Zoning Commission; establishes a board of adjustment; regulates and restricts the use and location of buildings and outbuildings, exterior lighting, fencing and landscaping; includes definitions, divides the City into zoning districts with regulations for each; sets special use permit requirements; sets broadcast and reception antenna rules; adopts a map of the City showing the boundaries and classifications of zoning districts; incorporating sign regulations herein; prescribes a penalty of not less than \$10.00 nor more than \$2000.00 for violation of this Ordinance; and repeals Ordinance 13-062017 adopted on June 7, 2017.
 1. Amendments to Section 4 and Section 5 prohibiting use of outbuildings, detached structures, and accessory structures as living quarters or rentals.
- v. 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 date, time, and location for next meeting (February 12, 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 Commission Authorized:

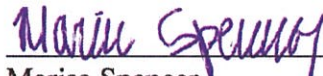
The Commission may vote or act upon any item within this Agenda. The Commission reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matter listed above, as authorized by Title 5, Chapter 551, of the Texas Government Code.

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 5:00 p.m. on January 11, 2019, 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



ADDENDUM

AGENDA

PLANNING AND ZONING COMMISSION REGULAR MEETING THURSDAY, JANUARY 17, 2019 6:00 P.M.

Garden Ridge City Council Chambers
9400 Municipal Parkway
Garden Ridge, Texas 78266

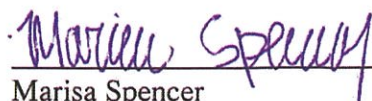
ADDITION

5. Business Items

b) Discussions/Reports/Updates

- iv. Ordinance No. 13-122018 An amended comprehensive Planning and Zoning Ordinance for the City of Garden Ridge, Texas; establishes a Planning and Zoning Commission; establishes a board of adjustment; regulates and restricts the use and location of buildings and outbuildings, exterior lighting, fencing and landscaping; includes definitions, divides the City into zoning districts with regulations for each; sets special use permit requirements; sets broadcast and reception antenna rules; adopts a map of the City showing the boundaries and classifications of zoning districts; incorporating sign regulations herein; prescribes a penalty of not less than \$10.00 nor more than \$2000.00 for violation of this Ordinance; and repeals Ordinance 13-062017 adopted on June 7, 2017.
 - 1. Amendments to Section 4 and Section 5 prohibiting use of outbuildings, detached structures, accessory structures, vehicles, and trailers as living quarters or rentals.

This is to certify that I, Marisa Spencer, posted this Addendum to the Agenda at 4:30 p.m. on January 14, 2019, 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



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

Commissioners Present:

Chair Dr. Jim Miller
Vice-Chair Mark Hausheer
Commissioner Karen Diaz
Commissioner David Heier

Commissioners Absent:

Commissioner David Ringle (Unannounced Absence)
Commissioner Kitty Owen (Unannounced Absence)
Commissioner David Dauer (Unannounced Absence)

City Staff Present:

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

Other City Councilmembers or Commissioners Present:

Ken Kneupper, Wildlife Management Advisory 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 6:03 p.m. on Thursday, December 20, 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, 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.

Commissioner Heier inquired about the motion made by him about eliminating the Masonry section from C-1 Light Retail District Draft, adding he did not remember why he would want the whole section removed since

Masonry is desired. The Commission agreed by consensus to table this item while staff obtained the C-1 Light Retail District Draft to clarify.

b) Discussions/Reports/Updates.

i. Update on meeting with Freese and Nichols, Inc. for Zoning and Subdivision Ordinance rewrite assistance.

Chair Dr. Miller and Vice-Chair Hausheer reported they had a productive and informative kick-off meeting with Freese and Nichols, Inc. Chair Dr. Miller stated Freese and Nichols, Inc. has been provided with the Commission's work and ideas, adding that Freese and Nichols, Inc. plan to prepare a working document and should have more information sometime in January.

Marisa Spencer, Interim City Secretary, opened the C-1 Light Retail District Draft on the screen for the Commission to review and to provide clarification regarding the minutes for November 15, 2018, Planning and Zoning Commission Regular Meeting. She stated the motion in question was to remove the Masonry section in the C-1 Light Retail District Draft. Commissioner Heier stated he then remembered it was removed in order to eliminate redundancy throughout the Ordinance. Commissioner Heier requested to add "to eliminate redundancy" to the end of the sentence to clear up confusion.

Motion: A motion was made by Commissioner Heier, seconded by Vice-Chair Hausheer, to approve the minutes for November 15, 2018, Planning and Zoning Commission Regular Meeting with the addition of "to eliminate redundancy" to the second motion on page three. The Commission voted three (3) for and none (0) opposed. The motion carried unanimously.

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.

The Commission discussed Freese and Nichols, Inc. using the Commission's work on the Ordinance combined with their professional knowledge to prepare a plan as well as a working document to be provided to the Commission.

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

The Commission discussed options regarding sex offenders and child safety zones. Cynthia Trevino, City Attorney, discussed exceptions and exemptions that apply to Garden Ridge.

c) Future Agenda Items.

i. Commissioners input on agenda items.

None at this time.

ii. Announce the date, time, and location for next meeting (January 8, 2019, at 6:00 p.m. at City Hall).

Chair Dr. Miller announced the next Planning and Zoning Commission Regular Meeting will be on Tuesday, January 8, 2019, at 6:00 p.m. at City Hall.

6. Citizen Comment Period – limited to 20 minutes total

Chair Dr. Miller reviewed the rules for Citizen Comment Period and asked if anyone wished to speak.

Tracy Blackwell, 9745 Trophy Oaks Drive, spoke regarding building in the residential agricultural and light retail districts.

Ken Kneupper, 8891 Schoenthal Road, thanked the Commission for their hard work and service to the community.

7. Adjournment

Motion: A motion was made by Commissioner Diaz, seconded by Commissioner Heier, to adjourn. The Commission voted three (3) for and none (0) opposed. The motion carried unanimously. There being no further business, the Thursday, December 20, 2018, Planning and Zoning Commission Regular Meeting was adjourned at 6:56 p.m. by Chair Dr. Miller.

Dr. Jim Miller, Chair

ATTEST:

Marisa Spencer
Interim City Secretary

ORDINANCE NO. 210-022018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE ADOPTING BOARD AND COMMISSION POLICY AND PROCEDURES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS City Council and each Commission, and therein Council members and Commissioners, represent the City of Garden Ridge and all its citizens, and should strive to present transparent, professional, efficient, and consistent meetings, not only to represent the citizens who have elected and appointed Council and Commission members;

WHEREAS there are numerous City Commissions created to assist in the governance of the City of Garden Ridge, each independent of one another, created at different times with different procedures of operation;

WHEREAS, the City Council has determined that a policy is needed to establish uniform standards for citizens seeking appointment to boards and commissions and to ensure uniform operating procedures for all boards and commissions.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF GARDEN RIDGE:

Section 1. Findings. The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

Section 2. Adoption of Policy. The City of Garden Ridge City Council adopts the following as its policy for the operating procedures and the appointment of citizens to City boards and commissions:

I. Commissions and Relevant Ordinances.

A. Planning and Zoning Commission

1. Ordinances 7-112017; 13-06217; 55-122017

B. Quarry Commission

1. Ordinance 34-082012

C. Water Commission

1. 54-042017; 61-112017; 159-052015

D. Wildlife Management Advisory Commission

1. 186-122015; 196-022017

II. Qualifications for Office.

Every candidate seeking appointment to a City board or commission will meet these qualifications:

- A. Be a registered voter in Garden Ridge, Comal County, Texas;
- B. Have resided in the City for at least six (6) months as of the deadline for filing for the position;
- C. Not have been convicted of a felony for which he or she has not been pardoned or acquitted; and
- D. Not have been found mentally incompetent by a final judgment of a court.

III. Terms of Office.

- A. Commissioners will be appointed for two- (2) year terms.
- B. Commissioners' terms of office will overlap one another to create staggered terms of office:
 - 1. The staggered terms in effect at the time of the adoption of this policy will remain in effect.
 - 2. When a new board or commission is created, each place will be assigned a number. The odd numbered positions will begin in one year and the even numbered positions will begin the following year.
- C. Commissioners may not serve more than four (4) consecutive terms on any one Commission without at least one (1) year off the Commission. The one (1) year off period shall begin on the date of expiration of the fourth consecutive term.
- D. For purposes of determining consecutive terms, a person will be deemed to have served on a Commission if the person has served as a member for at least one-half (1/2) of a two- (2) year term.
- E. This section will not apply to service on a different City Commission or where good cause exists to appoint a person for a fourth or longer consecutive term. For this purpose, good cause will be determined by the City Council, and includes but is not limited to, circumstances in which:

1. More than one-half (1/2) of the members of a City Commission are inexperienced with the work of the Commission, in which case the incumbent member(s), determined by Council to meet the good cause exception, may be reappointed for only one (1) additional term; or
 2. There are not sufficient qualified citizens interested in serving on said City Commission.
- F. A person who is not eligible for reappointment to a Commission under this section will remain ineligible for reappointment to said Commission for a period of one (1) year from the date the person's term will expire.
- G. A person who is not eligible for reappointment to a City Commission under this section is eligible for appointment to a different City Commission.
- H. Commissioners currently serving on a City Commission who exceed these rules of consecutive terms may complete their current term of office.
- I. Chairs will be appointed for a maximum of two (2) consecutive terms of office as Chair. The Chair may remain on the Commission as a regular member after completing his or her term as Chair.
1. A Chair may be reappointed as Chair after remaining out of the position for one (1) year.
- J. Vice Chairs will be appointed for a maximum of two (2) consecutive terms of office as Vice Chair. The Vice Chair may remain on the Commission as a regular member, or as Chair, after completing his or her term as Vice Chair.
1. A Vice Chair may be reappointed as Vice Chair after remaining out of the position for one (1) year.

IV. Attendance.

The City Secretary will distribute a meeting attendance inquiry to each Commissioner prior to each meeting. No later than one (1) business day prior to a meeting, each Commissioner will:

- A. Respond to the Secretary's inquiry; and
- B. Notify the Commission Chair if he or she will be absent.
 1. If the Chair will be absent the Chair will notify the Vice Chair.
 - a. Absences Defined.

i. Excused Absence.

- a) An absence that results from a medical reason of the member or a relative of the member;
- b) Child care for a newly born child during the first eight (8) weeks of the child's life (or) the first eight (8) weeks of an adopted child's life in the home;
- c) Military deployment;
- d) Family emergency; or
- e) Jury duty.

ii. Voluntary and Announced Absence.

- a) An absence other than an Excused Absence.
- b) Commissioner has notified both the City Secretary and the Commission Chair or Vice Chair no later than one (1) business day prior to the meeting.

iii. Unannounced Absence.

- a) Failure to inform the City Secretary and the Commission Chair no later than one (1) business day prior to the meeting.

V. Termination.

A. Three (3) consecutive absences or four (4) total absences in a twelve (12) month period will result in automatic termination with the following exceptions:

- 1. If all absences are Excused Absences, the Commission can recommend termination be waived by a majority vote of the Commission, with such recommendation forwarded to Council for a final determination;
- 2. If all absences are Voluntary and Announced Absences, the Commission can recommend termination be waived by a majority vote of the Commission to allow a fourth (4th) consecutive absence or a (5th) total absence, with such recommendation forwarded to Council for a final determination.

- B. City Council can, by majority vote, waive any of the above conditions.
- C. If a Commissioner becomes ineligible as stipulated in Section II, Qualifications for Office, membership on the Commission will terminate immediately.
- D. The Commission may make a recommendation to have a Commissioner terminated for cause, by majority of the full Commission, with such recommendation forwarded to Council for a final determination.

VI. Vacancies.

It is the intent of the City Council that collectively, members to each Commission shall, by diversity of their individual occupations and experience, be broadly representative of the City. The Council may establish specific qualifications and amend such qualifications as needed to meet the objective of each board or commission.

- A. When a vacancy occurs, the City will seek qualified candidates via all reasonable means from the public, after such vacancy has been advertised for at least one (1) month prior to any appointment.
- B. All applicants will be reviewed by City Staff to validate qualifications and eligibility, after which all qualified applicants will be interviewed during a regular Commission meeting on which there is the vacancy.
 - 1. Previous applicants for Commission positions will be considered equally with new applicants.
- C. After all qualified applicants have been interviewed by the Commission at a regular Commission meeting; the Commission's recommendation for appointment will be forwarded to City Council for an additional interview or final determination on the recommendation.
 - 1. The Commission recommendation will be based on the majority vote of the Commission, with such recommendation being forwarded to Council for their consideration.

VII. Preparation.

All Commissioners will be prepared for each meeting; all Commissioners will be able to spontaneously run any meeting should the need arise in the absence of the Chair and the Vice Chair.

- A. Thoroughly review the agenda packet, including agenda reports, onsite inspections when appropriate, and any other pertinent material before the meeting.
- B. Know the responsibilities of the Commission as well as the limitations of his/her individual authority. A Commissioner is a member of an advisory body which requires that his/her provide informed recommendations to City Council.
- C. Be familiar with the Texas Open Meetings Act [TOMA], and be cautious with electronic communication regarding any issue, notably the risk of “walking quorums” that can occur unintentionally.
- D. Maintain familiarity with the following:
 - 1. “Findings Necessary to Grant a Variance” document as provided by the City Attorney;
 - 2. Robert’s Rules of Order;
 - 3. Commission’s annual calendar reflecting the regular meeting dates of City Council and each Commission; and
 - 4. The current Handbook for Mayors and Councilmembers as published by the Texas Municipal League.

VIII. Procedures and Decorum.

City Council is dependent on each Commission to make recommendations to the City Council. It is through not only the City’s Council meetings but through input from Commission meetings that Council can receive citizen input.

Robert’s Rules of Order will be followed in all cases where applicable to ensure the Chair as leader can conduct an efficient procedural meeting. However, strict adherence to the rules is not necessary for the orderly conduct of meetings.

When a joint City Council/City Commission meeting is held, the Mayor will chair the meeting.

A. Agendas.

- 1. Items will be placed on the agenda by the Chair and the City Administrator adhering to established deadlines.
 - a. The deadline for submission of an agenda item is fourteen (14) days prior to the Commission meeting.

3. Items may be placed on the agenda in any of the following ways:
 - a. Unanimous consent or majority vote during a Commission meeting;
 - b. Outside of a public meeting, paying particular attention to adhering to Texas Open Meetings Acts Procedures, by;
 - i. The Chair;
 - ii. The Chair and a Commissioner. The Chair may consider nominations to the agenda from an individual Commissioner; or
 - iii. Two (2) Commissioners. If two (2) Commissioners wish to nominate an item for an agenda, they must both contact the City Administrator prior to the established deadline. The Chair may not remove an item placed on an agenda by prior direction of the Commission.
 - c. In accordance with the Texas Open Meetings Act [TOMA], items not on the agenda may not be discussed at that meeting.
4. Commission packets will be sent electronically to Commissioners seven (7) days prior to the meeting.
 - a. Review the agenda and attached minutes from prior meeting(s) for corrections/amendments. Notify the City Secretary of any corrections or amendments two (2) business days prior to the public posting date.
5. Each Commission will create a Rolling Agenda to reflect items the Commission would like to consider in the future. The Rolling Agenda will reflect the Commissioner who initiated the request as well as the ongoing status of the item.

B. The Chair will:

1. Begin meetings on time. He or she will keep the agenda in mind to give each item the appropriate consideration;
2. Be responsible for maintaining procedure and decorum at each meeting;
3. Ensure that all comments are electronically recorded for the record by having all participants speak into a microphone;

4. Ensure that the use of other electronic devices is limited to pertinent, urgent, or emergency use only;
5. Ensure that fair, impartial review and respect for all members of the Commission, Staff, and audience will be maintained;
6. Remain a non-voting member; he or she will vote only in the case of a tie; and
7. Report, in person, during City Council meetings, any and all pertinent Commission recommendations. If the Chair is unavailable, he or she will ensure the Vice Chair or an available representative from the Commission appears before City Council. Absent an available representative, the Chair will deliver a written summary of the Commission's recommendation to the City Administrator prior to the City Council Meeting.

C. The Vice Chair will:

1. Assume the duties of the Chair when the Chair is absent; in the absence of both the Chair and the Vice Chair and assuming there remains a quorum, a temporary Chair will be selected from the remaining Commission members for that meeting.

D. Ex Officio.

A City Council member will serve as an Ex Officio member of each Commission except Planning and Zoning.

1. The Ex Officio member will be a non-voting advisory position only.

F. Dress Code.

The dress code for all scheduled Commission meetings will be "business casual", except when an offsite meeting necessitates other appropriate attire as directed by the Chair.

G. Social Media.

Commissioners should be judicious in their use of social media. Commissioners, in their official capacity representing the Commission or the City, will not respond, comment, or post opinion, views, or information on social media that relates to any matter the Commission is considering, discussing, or recommending to City Council.

IX. Training and Education.

- A. Within two (2) months of appointment, a Commissioner will complete training for new Commissioners including Open Meetings Act Training and The Public Information Act Training as provided by The Office of the Attorney General of Texas.
- B. The City Administrator, with input from the Commission Chairs, will advise Commissioners of the dates and locations of approved seminars, and will facilitate the Commissioners' registration and attendance. The Commissioners will be entitled to reimbursement for reasonable costs of attendance.
- C. Each Commissioner will attend at least two (2) regular City Council meetings during each calendar year.
- D. Each Commissioner will attend an annual training session pertinent to that Commission's responsibilities as determined by the Chair.
- E. Each Chair will establish an Ordinance review tutorial as an agenda item a maximum of every two (2) years. The City Attorney will attend.
- F. Each Commission will be aware of the State Legislature's session that occurs every two (2) years. When relevant, new laws and procedures will be reviewed by each Commission during a Commission Meeting.
- G. Due to specific legal requirements associated with participation on the Planning and Zoning Commission, Commissioners will attend training related to Planning and Zoning as deemed appropriate by the City Administrator. Attendance at an approved seminar on land use, environmental or planning issues within three (3) years prior to appointment is acceptable, otherwise a new Commissioner must complete the requirement within one (1) year of appointment. Reappointed Commissioners must attend such training at least every four (4) years.
- H. Wildlife Management Advisory Commission members will attend training by Texas Parks and Wildlife or other approved sources every two (2) years.

Section 3. Interpretation of rules.

In the event of any dispute related to the interpretation or application of the policy established herein, the City Council will hear and make such determinations as needed.

Section 4. Cumulative and savings.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Garden Ridge, Texas, except where the provisions of the ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are

hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section 5. Severability.

The provisions of this Ordinance are declared to be severable. If any section, sentence, clause, or phrase of the Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect; it being the legislative intent that this Ordinance shall remain in effect notwithstanding the validity of any part.

Section 6. Effective date.

This ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED ON this 7th day of February, 2018.



Larry Thompson, Mayor

ATTEST:



Shelley Goodwin, City Secretary

SECTION 4 AGRICULTURAL

4.1. RESIDENCE-AGRICULTURE (RA) DISTRICT.

- 4.1.1. Use restrictions: In the RA Residential- Agriculture District, use no land and erect no building to any other use than the following:
 - 4.1.1.1. Farm and ranch agriculture uses, together with farm dwelling and customary agricultural accessory uses and buildings, provided such uses shall not constitute a public health threat or nuisance.
 - 4.1.1.2. *Farm and ranch outbuildings and accessory buildings (including but not limited to Barns, Sheds, Tool Rooms, Greenhouses, Cabanas, Gazebos, and Structures other than a primary residence).*
 - 4.1.1.3. *Farm and ranch outbuildings and accessory buildings, including detached garages, shall not be used as a dwelling unit. Any use as a residence, apartment, guesthouse or servant's quarters temporarily or permanently; including short term and long term rental, or any other type of residential use or occupancy by a single family, individual or group of individuals is prohibited.*
 - 4.1.1.4. *Any use of a vehicle, boat, tent, trailer, utility trailer, recreational vehicle, or any other type of vehicle having sleeping accommodations as temporary or permanent accessory living quarters or for any other type of residential use or occupancy is prohibited.*
- 4.1.15. A school or church conditioned on City approval of a Special Use Permit according to requirements in Section 12 of this Ordinance.
- 4.1.1.6. A public park.
- 4.1.1.7. Home business or occupation as authorized in this Ordinance.

4.2. AQUIFER PROTECTION (AP) DISTRICT.

- 4.2.1. Use restrictions. The AP District is an overlay district for protection of City well sites and aquifer recharge features from biological and chemical contamination. The District surrounds each City well site and geologic recharge feature, within the Edwards Aquifer recharge zone, for a radius of fifteen hundred (1500) feet. Within the AP District, no use or activity is permitted that presents a danger of bacteriologic, chemical or radiologic pollution of the ground water aquifer.
- 4.2.2. Specific prohibitions include: cemeteries; liquid transmission pipelines; petroleum and chemical processing, production, mixing, transmission or transfer facilities; petroleum or chemical storage tanks and vats; wood treatment facilities; sewage treatment plants, wet wells, pumping station or drainage ditch for industrial waste discharges or wastes from sewage treatment systems, sewage sludge disposal or effluent irrigation areas; livestock and animal pens, feedlots, or abandoned and improperly sealed wells

SECTION 5 RESIDENTIAL

5.1. SINGLE FAMILY DWELLING (R) DISTRICT.

5.1.1. Use Restrictions: In Single Family Dwelling (R) District no land shall be used and no building shall be erected for or converted to any use other than the following:

5.1.1.1. A one family dwelling and associated outbuildings limited to accessory use.

5.1.1.2. A school or church conditioned on City approval of a Special Use Permit according to requirements in Section 12 of this Ordinance.

5.1.1.3. A public park or private social and recreational facilities developed as an integral part of an approved subdivision designed to serve the community.

5.1.1.4. This district shall have no mobile homes, manufactured homes, and accessory living quarters or other non-permanent living structures.

5.1.2. Residential outbuildings *and accessory buildings (including but not limited to* Garages, Sheds, Tool Rooms, Greenhouses, Cabanas, Gazebos, and Structures other than a primary residence).

~~5.1.2.1. Residential outbuildings, including detached garages shall not be used as a residence or guesthouse or servant's quarters temporarily or permanently.~~

5.1.2.1. Residential outbuildings and accessory buildings, including detached garages, shall not be used as a dwelling unit. Any use as a residence, apartment, guesthouse or servant's quarters temporarily or permanently; including short term and long term rental, or any other type of residential use or occupancy by a single family, individual or group of individuals is prohibited.

5.1.2.2. When a residential outbuilding attaches permanently to a main building by a slab continuous with that of the main building, it becomes part of the main building.

5.1.2.3. Residential outbuildings (not attached), together with any breezeways, shall not occupy more than thirty (30) percent of the rear yard.

5.1.2.4. Every house (main building) constructed or renovated shall have at least a two (2) car garage, either attached or detached. Attached garages shall open only to an interior lot side or to the rear of the house. Garages connected to the main structure by breezeway or gallery shall not be forward of the front plane of the house and shall not face a paved street. Detached garages shall not extend forward of the rear plane of the house and shall not face a paved street. Also, they shall be at least fifteen (15) feet from the side property line and at least seventy-five (75) feet from the front property line.

5.1.2.5. These requirements apply within subdivisions and to residential lots of less than ten (10) acres:

5.1.2.5.1. All structures shall anchor to a reinforced concrete pad or slab or shall be held by ground anchor bolts and straps installed according to manufacturer's recommendations.

5.1.2.5.2. Total impervious cover for a lot including residence, driveway, pools, outbuildings and other structures shall not exceed Thirty-five (35) percent of the lot area.

5.1.2.5.3. No more than one (1) structure of a given type or more than three (3) total structures excluding the residence shall be on a single lot. No single outbuilding or other structure shall exceed 1000 square foot (ft²) in area.

- 5.1.2.5.4. Structures with a floor area less than 100 square foot (ft²) may be of metal, wood, glass, fiberglass or masonry (brick, stone, or stucco). Structures shall not exceed fifteen (15) feet in total height. Structures shall be behind the rear plane of the residence and shall not be in any right-of-way or easement, nor block access to any right-of-way or easement. Structures shall match the exterior colors of the residence. Masonry used shall match that of the residence. Planting of perennial plants -- which will block fifty (50) percent of the structure from view from adjoining lots or streets when fully grown -- is required within ninety (90) days of completion of the structure. Plants are not necessary when a six- (6) foot in height wall or fence blocks view of the structure from adjoining lots or streets.
- 5.1.2.5.5. Structures with a floor area of 100 square foot (ft²) to 300 ft² may be metal, wood, glass, fiberglass or masonry (brick, stone, or stucco). Total structure height shall not exceed the height of the roofline of the residence. Structures shall be behind the rear plane of the residence and shall not be in any right-of-way or easement, nor block access to any right-of-way or easement. (Exception: Gazebos may be anywhere on a lot except in a right-of-way or easement if the responsible architectural review committee and City Planning and Zoning Commission approve the design and site.) Structures shall be on a gravel or reinforced concrete pad. Gravel pads shall be at least four (4) inches above grade and extend twelve (12) inches beyond all sides of the structure. Planting of perennial plants -- which will block fifty (50) percent of the structure from view from adjoining lots or streets when fully grown -- is required within ninety (90) days of completion of the structure. Plants are not necessary if a six- (6) foot in height wall or fence blocks view of the structure from adjoining lots or streets. Structures shall match the exterior colors of the residence. Masonry shall match that of the residence. Design and location require approval of the responsible architectural control committee before the City will issue a building permit.
- 5.1.2.5.6. Structures with a floor area greater than 300 ft² shall meet the building code requirements, architecture, materials and color of the residence. Total structure height shall not exceed the height of the roofline of the residence. Design and location -- to include a landscape plan for limiting visual impact to adjoining lots -- require approval of the responsible architectural control committee and City Council (with recommendation of the City Planning and Zoning Commission). Swimming pools are excepted from requiring City Council site approval under this paragraph when the pool and all its associated structures and components are: a) located entirely behind the rear plane of the residence and; b) built in-ground with an average deck height less than twenty-five (25) inches above grade with no elevated component (waterfall, slide, etc.) more than four (4) foot above grade. On corner lots, the pool must also be located behind the extended side plane of the house on the side facing the exterior lot line. Pools enclosed, or surrounded by, the house structure so as to not be visible from front or side streets shall be deemed as meeting the requirements of this exception.
- 5.1.3. Unrestricted parking of vehicles, trailers, and boats in yards adds to the deterioration of residential areas and creates a nuisance. The following may not be parked in a residential zoned area except where concealed from view in a garage or as permitted in 5.1.3.4: all types of recreational vehicles, trailers, boats, inoperable vehicles, commercial or farm vehicles (except pickup trucks) on platted residential lots.

No vehicles, trailers, boats, house trailers or any other recreational vehicles may be parked in an unpaved area of the yard outside a defined driveway or parking space except construction equipment, trucks and other vehicles and equipment necessary for delivery, construction, repairs or maintenance (e.g. roofers, tree trimmers, landscapers, etc.) may park on lawns while the project work is ongoing. Such parking may not exceed the length of the project.

Parking spaces may be constructed of concrete, pavers, bricks, crushed granite or similar materials with the same attributes and characteristics, the use of asphalt or wood is prohibited. The parking space must be of sufficient size so perimeter extends beyond the length and width of any vehicle parked in the space. If materials used do not create a clearly defined border then the space must be defined by a border of concrete, rock, brick, metal or wood. Parking spaces must be kept free of grass, weeds and other vegetation.

~~5.1.3.1. No travel, house, or utility trailer, recreational vehicle, tent, garage, barn, or other outbuilding erected on, or transported to a lot (tract), shall serve as a temporary or permanent residence. No temporary structure located on the lot (tract) shall serve as a residence or living quarters.~~

5.1.3.1. Any use of a vehicle, boat, tent, trailer, utility trailer, recreational vehicle, or any other type of vehicle having sleeping accommodations as temporary or permanent accessory living quarters or for any other type of residential use or occupancy is prohibited.

5.1.3.2. No person shall use a travel trailer, or other type of recreational vehicle, having sleeping accommodations, as temporary lodging for a period exceeding seven (7) consecutive days on any homeowner's property.

5.1.3.3. No person shall keep inoperable vehicles, vehicles with invalid registration, invalid inspection sticker, or expired license on residential zoned property unless the vehicle is out of sight from the front street view of the house either in a garage or rear yard.

5.1.3.4. No person shall store house, travel, or utility trailer of any type, semi-trailers, boats, motor homes, and campers in the front yard, any portion of driveway within the front yard, or exterior side yard (see Figure 1). Property owners and tenants may use only rear or interior side yards to store these classes of vehicles and trailers and boats.

5.1.3.5. No person shall load, unload, or park travel, or utility trailers of any type, semi-trailers, boats, motor homes, and campers in the front portion of their driveway for a period to exceed ten (10) consecutive days, nor for more than four (4) such periods in a year. No person shall use City right-of-way (streets, shoulders or ditches) as parking space for RV's, commercial vehicles, farm vehicles, camping trailers, utility trailers, or boats.

5.1.3.6. No person shall store commercial or farm vehicles exceeding 3,000 pounds of carrying capacity or truck tractors except in the rear or side yards on interior lots. On corner lots, parking or storage of these vehicles shall only be in the rear yard.

5.1.3.7. Subdivisions within the City may have deed restrictions or covenants with increased requirements for the parking or storage of vehicles, trailers or boats. These added requirements are "Neighborhood Association" issues and are not a City responsibility to enforce, except at the City's option.

5.1.4. No person shall use a lot as a dumping ground for rubbish or any other materials. Persons shall store trash, garbage, or any other waste only in sanitary containers. Owners shall keep incinerators or other equipment for the storage or disposal of wastes in a clean and sanitary condition, and all such items shall be of a neat and attractive appearance.

5.1.5. No person shall keep any animals other than household pets. Pets shall not be in such numbers as to be a nuisance or annoyance to other pet owners or residents.

5.1.6. No person shall initiate any noxious or offensive act or activity upon any lot, nor engage in anything thereon, that may be, or become, a nuisance to other owners or residents.

5.1.7. The following height and area regulations shall apply.

5.1.7.1. Height Regulations. No building shall exceed two and one-half (2 1/2) standard stories or thirty-five (35) feet in height.

5.1.7.2. Area Regulations.

5.1.7.2.1. Lot Size: Any lot or tract of land located within the City of Garden Ridge and served by a public water supply system, as defined by the Texas Water Commission, shall have a minimum area of thirty-two thousand six hundred seventy square feet (32,670 ft²). However, if such lot or tract of land is partially or entirely over the Edward Aquifer Recharge Zone, or is not served by a public water supply system,

then it shall have a minimum area of forty-three thousand five hundred sixty square feet (43,560 ft²) as provided for in the "Rules of Comal County, Texas, for Private Sewerage Facilities, 1987" and Amendments thereto.

- 5.1.7.2.2. Lot Width. Each lot shall front upon a public street and shall have a minimum of one hundred twenty (120) feet at the front property line as shown on the plat. On a cul-de-sac, the frontage shall be a minimum of fifty (50) feet at the front property line.
- 5.1.7.2.3. Front Yard. There shall be a front yard having a minimum setback of forty-five (45) feet.
- 5.1.7.2.4. Side Yards:
 - 5.1.7.2.4.1. Corner Lots. The street-adjacent side yards of corner lots shall have a minimum setback of twenty-five (25) feet. The side yard not adjacent to the street shall have a minimum setback of fifteen (15) feet, or as modified for interior lots.
 - 5.1.7.2.4.2. Interior Lots. There shall be a side yard on each side of all interior lots of not less than fifteen (15) feet.
- 5.1.7.2.5. Rear Yard. There shall be a rear yard having a depth of at least twenty-five (25) feet.
- 5.1.8. Exceptions:
 - 5.1.8.1. Regarding new construction, builders shall construct mailboxes of the same masonry material as the house, except in those cases where the mailbox is across the street from the new house according to the United States Postal Service requirements. In such cases, the new mailbox must conform as closely as possible to the masonry of the existing house in front of which the new mailbox will be located and to the design and construction of the existing homeowner's mailbox.. Base dimension for mailboxes shall not exceed the dimensions of the mailbox by more than six (6) inches on any side above two (2) foot elevation. Positioning of mailboxes shall be in accordance with the United States Postal Service regulations

Masonry mailboxes which are replaced must conform to new construction specifications as stated herein. Non-masonry mailboxes which are replaced must conform to size, height and positioning specifications of the United States Postal Service regulations.
 - 5.1.8.2. A detached garage or detached residential outbuilding shall have a side yard of not less than fifteen (15) feet. Also, such garage or residential outbuilding shall set back seventy-five (75) feet or more from the front property line.
- 5.1.9. House Size. The main residential structure on each lot, exclusive of basements, porches, garages, breezeways and residential outbuildings, shall contain at least two thousand (2,000) square feet of habitable space.
- 5.1.10. Masonry Construction. Single family dwellings shall be of no less than ninety (90) percent masonry or masonry veneer construction on the first floor level excluding openings. Fireplace chimneys exterior to the residence shall be constructed of the same masonry material as the residence.
- 5.1.11. Regarding new construction, roof surfaces shall be of tile, standing seam metal, concrete tile, slate, or asphalt shingles having a minimum thirty (30) year life, certified, in writing, by the manufacturer. Use of other types of roofing materials with a 30-year minimum life expectancy requires prior written approval by the City Architect. For repair of existing roofs involving less than twenty (20) percent of the roof area, or extensions to existing roofs in good condition as a result of additions to the main structure not exceeding fifty (50) percent of the ground floor area, roofing most closely matching the existing roof may be used.

5.1.12. Regarding new construction, driveways shall be constructed only of concrete, stone, or brick pavers unless City Engineer approval is given for use of an alternate masonry material. No person shall use asphalt pavement for a driveway surface.

5.1.13. Exterior Lighting.

5.1.13.1. Light fixtures shall be below the building roofline.

5.1.13.2. Lights shall not aim beyond the owner's property line nor illuminate adjoining property to more than five (5) foot-candles measured at the point of highest intensity.

5.1.13.3. No single light fixture or cluster of fixtures shall exceed 150-watt capacity.

5.1.13.4. Any variance shall meet the criteria of not causing increased illumination off the property.

Planning and Zoning Commission Attendance

	2/13/18 Regular Meeting	3/13/18 Regular Meeting	4/10/18 Regular Meeting	5-10-18 Regular Meeting	6-12-18 Regular Meeting	7-10-18 Regular Meeting	8/10/18 Special Meeting	8/14/18 Regular Meeting	08/27/18 Special Meeting	9/11/18 Regular Meeting	10/9/18 Regular Meeting	11/13/18 Regular Meeting	11/15/18 Regular Meeting	12/11/18 Regular Meeting	12/20/18 Regular Meeting	01/08/19 Regular Meeting
Miller	P	P	P	P	P	P	P-QNM	P	P	P	P	P	P	P	P	P
Diaz	P	P	P	P	VAA	P	P-QNM	P	P	P	P	VAA	VAA	P	P	P
Hausheer		P	P	VAA	P	P	P-QNM	P	P	P	P	P	P	P	P	P
Ringle	P	P	P	P	P	P	UA	UA	P	P	P	P	P	VAA	UA	UA
Heier	P	P	P	P	P	VAA	P-QNM	P	P	UA	P	P	P	P	P	P
Dauer												P	P	P	P	P
Owen	P	P	E	P	VAA	UA	VAA	P	P	P	P	P	P	P	UA	P

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

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

	1/2/19 Regular Meeting											Total for year
Miller	P											1
Diaz	P											1
Hausheer	P											1
Ringle												0
Heier	P											1
Dauer												0
Owen												0

	Met requirements in Ordinance 210
	NOT met requirements in Ordinance 210

Future Agenda Items

Planning and Zoning Commission

February 12, 2019 Regular Meeting

14 days before Meeting	(01/29/19)	Commission and Staff items are due
8 days before Meeting	(02/04/19)	City Administrator and Chair review agenda. City Attorney is sent the agenda for approval.
7 days before Meeting	(02/05/19)	Post Agenda on bulletin board and Commission will receive packet (allowing a day and half for corrections and to request additional information to be added)
5 days before Meeting	(02/07/19)	Post Agenda Packet to City Website
4 days before Meeting	(02/08/19)	(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

President's Day= 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		

Approval

1. Minutes 01-08-19

Petition/Public Hearings/Recommendation

Discussion/Reports

1. Freese and Nichols, Inc.
2. City Council Update
3. Future Agenda Items
 - a. Set next meeting (if necessary) February 21, 2019 @ 6

Executive Session

February 21, 2019 Regular Meeting

14 days before Meeting	(02/07/19)	Commission and Staff items are due
9 days before Meeting	(02/11/19)	City Administrator and Chair review agenda. City Attorney is sent the agenda for approval.
7 days before Meeting	(02/14/19)	Post Agenda on bulletin board and Commission will receive packet (allowing a day and half for corrections and to request additional information to be added)
6 days before Meeting	(02/15/19)	Post Agenda Packet to City Website
3 days before Meeting	(02/18/19)	(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
 President's Day= 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		

Approval

1. Minutes 01-17-19

Petition/Public Hearings/Recommendation

Discussion/Reports

1. Freese and Nichols, Inc.
2. Future Agenda Items
 - b. Set next meeting (if necessary) March 12, 2019 @ 6

Executive Session

PENDING FUTURE AGENDA ITEMS

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