

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Planning & Zoning Commission
Minutes of Regular Meeting
August 26, 2010 at 6:30 p.m.

Meeting called to order by Chairman Tracey Dean. Present were Commissioners Beth Mitchell, Jean Ross, Lila McCall, Steve Klepfer, and David Glenn. Commissioner Phil Dane had an excused absence.

Staff Present: City Administrator Don Ferguson and City Secretary Cara McPartland.

Citizen Communications:

No citizen comments were heard.

1. Consent Agenda

Approval of minutes of the regular Planning & Zoning Commission meeting on August 12, 2010.

Commissioner Ross moved to approve the minutes as presented. Commissioner Klepfer seconded. Motion carried on a vote of 6-0.

2. Election of Officers

Commissioner Ross moved to nominate Chairman Dean for the position of Chair. Commissioner Klepfer seconded. Motion carried unanimously.

Chairman Dean moved to nominate Commissioner Glenn for the position of Parliamentarian. Commissioner McCall seconded. Motion carried unanimously.

3. Discussion and Possible Action

- A. Discuss and consider action relating to the possible modification of the planning area boundaries between the Blanco River and the Wimberley Square. (*City Administrator*)

City Administrator Ferguson provided background information and displayed maps of certain Ranch Road 12 frontage properties whose owners have requested zoning that is not allowed in their respective planning area(s). Discussion included:

- Gradation of uses in planning areas to help mitigate the impact of commercial activities on residential uses

- Clarification of properties affected and locations on map, including three (3) large tracts recommended for zoning via a case-specific City-initiated WPDD process
- Review and comparison of zoning districts/uses allowed in certain planning areas
- Limits on commercial development within the Protected Water Overlay District (PWOD)
- Need to buffer residential neighborhoods from commercial uses

General agreement was reached to extend Planning Area III from the Blanco River to Blue Heron Run, provided that certain properties adjacent to Blue Heron Run are zoned with appropriate screening provisions to protect residential properties from commercial uses. City Administrator Ferguson will verify exactly which properties reside within the Rio Bonito Resort tract.

It was agreed to schedule a public hearing on the proposed modification for the Commission's September 23, 2010 meeting. Because a quorum will not be present, the Commission will not meet on September 9, 2010.

- B. Discuss and consider action relating to the possible development of zoning regulations for bed and breakfast operations and vacation rentals. (*City Administrator*)

City Administrator Ferguson reviewed current zoning regulations and cited statistics on the number of conditional use permits (CUPs) allowing for bed and breakfast (B & B) facilities. He noted that the majority of B & Bs are located on direct water access properties. Discussion included:

- Need to clarify definitions
- Specific inconsistencies in terminology used in the Zoning Code and examples illustrating problems caused by ambiguous definitions
- Lack of specificity in certain B & B conditions, including maximum stay requirements, number of units, and owner occupancy
- How to define what constitutes a "B & B" versus a "vacation rental"
- Standard guidelines for B & Bs
- Existing CUP regulations and enforcement process, including the ability to revoke a CUP for a B & B operation, when violations are unresolved
- Importance of B & Bs and vacation rentals to Wimberley's economy
- Existing CUP process versus creation of separate zoning districts and associated advantages/disadvantages
- Need to address "grandfathering" procedures and verify pre-existing, non-conforming uses to curb circumvention of the Zoning Code
- Identification of specific problem issues
- Growing vacation rentals and accompanying property value concerns related to commercialization of residential areas
- Varying levels of acceptance for B & B/vacation rental operations in certain neighborhoods

- Possible licensing of B & B/vacation rentals
- Examples of rental problems experienced by other cities

Agreement was reached to direct staff to develop two proposals to expand on the existing CUP process and to create separate zoning districts for B & Bs and vacation rentals.

4. Staff and Commission Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson reported that Council approved the first readings of the Rural Retreat 1 (RR-1)-related ordinances. He advised that the three (3) large retreat-type properties' owners are scheduled for meetings with staff, in order to begin the City-initiated Wimberley Planned Development District process. He welcomed Commissioner Beth Mitchell as a new member and noted that each Commission member will receive an informational handbook that will be regularly updated.

As a future agenda item, Commissioner McCall expressed concerns about density and asked to reconsider the maximum number of guests allowed for RR-1 zoning districts.

Hearing no further announcements or future agenda items, Commissioner Ross moved to adjourn. Commissioner Klepfer seconded. Motion carried on a vote of 6-0.

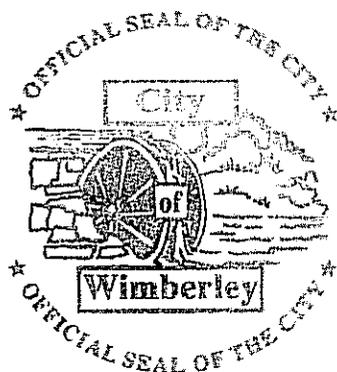
Adjourn at 7:45 p.m.

Recorded by:



Cara McPartland

These minutes approved the 14th of October, 2010.



APPROVED:



Tracey Dean, Chair