

**City of Wimberley**  
 City Hall, 221 Stillwater  
 Wimberley, Texas 78676  
**Planning & Zoning Commission**  
 Minutes of Regular Meeting  
 September 8, 2016 at 6:00 p.m.

Meeting called to order at 6:00 p.m. by Chair Charles Savino. Present were Commissioners John Urban, Austin Weeks, Natalie Meeks, Rebecca McCullough, and Gail Pigg. Commissioner John Espinoza was absent.

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

**Citizen Communications:**

No citizen comments were heard.

**1. Assignment of Terms for Members of the Planning and Zoning Commission**

After discussion of drawing procedures, the following term length assignments were drawn by individual Commission members, with the exception of absent Commissioner Espinoza, whose term length number was drawn by City Administrator Ferguson:

Commissioner	Term Length Drawn
John Urban	1 year
Austin Weeks	1 year
Charles Savino	2 years
John Espinoza	2 years
Rebecca McCullough	3 years
Natalie Meeks	3 years
Gail Pigg	3 years

**2. Election of Officers**

Commissioner McCullough moved to nominate Commissioner Urban for the position of Chair. Commissioner Pigg seconded. Motion carried on a vote of 6-0.

Commissioner Urban assumed duties of Chairman at this time.

Commissioner Weeks moved to nominate Commissioner Savino to the position of Vice Chair. Commissioner McCullough seconded.

Commissioner Urban moved to nominate Commissioner Meeks to the position of Vice Chair. Commissioner Savino seconded.

Commissioner McCullough moved to cease nominations and each Commission member voted for the position of Vice Chair as follows:

<b>Commissioner</b>	<b>Vice Chair Nominee</b>
John Urban	Natalie Meeks
Austin Weeks	Charles Savino
Natalie Meeks	Charles Savino
Charles Savino	Natalie Meeks
Rebecca McCullough	Natalie Meeks
Gail Pigg	Natalie Meeks

Commissioner Meeks was elected to the position of Vice Chair on a vote of 4-2.

### **3. Consent Agenda**

Approval of minutes of the Regular Planning & Zoning Commission meeting on August 25, 2016.

Commissioner Meeks moved to approve the minutes, as presented. Commissioner Weeks seconded. Motion carried on a vote of 6-0.

### **4. Public Hearing and Possible Action**

Hold a public hearing and consider making a recommendation to City Council regarding an ordinance of the City of Wimberley, Texas, authorizing a moratorium on the issuance of building permits, business licenses, conditional use permits, and certificates of occupancy to be used for the construction or operation of bed and breakfast lodgings and vacation rentals within any residentially zoned area within the city limits of Wimberley and providing for the following: findings of fact, savings, severability, repealer, effective date, and proper notice and meeting. (*City Administrator*)

City Administrator Ferguson explained moratorium procedures and plans to gather public input at a series of joint City Council/Planning and Zoning workshop meetings in order hear from all sides on the issue of short-term rentals in the most efficient manner.

Commissioner Urban opened the public hearing.

Edward Davis spoke on his personal experience in challenging conditional use permit (CUP) applications in his own neighborhood. He favored the moratorium, joint Council/Planning and Zoning workshops, and existing process that gives neighbors the opportunity to voice objections to CUP applications. He said that short-term rentals are a very sensitive subject in his neighborhood. Commissioner Urban said it is important to hear from land owners on this subject.

Suzanne Davis said her neighbors have been told in writing that the issue of short-term rentals is not a personal one, but one that has a lot of nuances that need to be examined carefully by the Commission. She did not feel that Council recognized the nuances seen by the Commission, as Council did not follow the Commission's recommendation, and was confused by Council's action. Commissioner Urban thanked

Edward and Suzanne Davis for coming to tonight's meeting and explained the respective roles of the Planning and Zoning Commission and City Council as advisory and governing bodies. Mrs. Davis felt there needs to be consistency and fairness in the process.

Hearing no further comments, Chairman Urban closed the public hearing.

Discussion included:

- Decision-making process for the Commission and Council
- Additional opposition that may be submitted to Council after the Commission has held its public hearing
- Issues with complaint investigation/ordinance compliance, including having a part-time city marshal and reluctance by some to call Hays County Sheriff's Office to register complaints about rental activity
- General support for the moratorium and arriving at reasonable guidelines for short-term rentals that avoid pitting neighbor against neighbor and reach community agreement
- Balancing property rights while not infringing on others and protecting everyone's best interests
- Code requirements such as size limitations that make hotels/motel developments less practicable
- Proactive approach to getting community agreement on short-term rentals

Commissioner McCullough moved to recommend approval of the ordinance, as presented. Commissioner Meeks seconded. Motion carried on a vote of 6-0.

## **5. Staff and Commission Reports**

- Announcements
- Future Agenda Items

In response to Commissioner Pigg's inquiry on a recent court ruling regarding certain highway signage, City Administrator Ferguson pointed out that the ruling struck down portions of State law, but does not affect City of Wimberley or Hays County regulations.

Hearing no further comments, Chairman Urban called the meeting adjourned.

**Adjourn at 6:46 p.m.**

Recorded by:



Cara McPartland

**These minutes approved the 13<sup>th</sup> of October, 2016.**



APPROVED:

*John Urban*  
John Urban, Chair