

City of Wimberley
 Wimberley City Hall, 221 Stillwater
 Wimberley, Texas 78676
Planning & Zoning Commission
 Minutes of Regular Meeting
 September 14, 2017 at 6:00 p.m.

Meeting called to order at 6:02 p.m. by Acting Chair Natalie Meeks. Present were Commissioners Charles Savino, Rebecca Minnick, Gail Pigg and John Espinoza. Austin Weeks was absent.

Staff Present: Sandy I. Floyd, Planning and Development Coordinator/GIS Analyst
 Brad Young, Legal Counsel

Citizen Communications:

Edward Davis spoke regarding the Vacation Rental ordinance agenda item and his opposition to Vacation Rentals in locations that aren't suited properly for these operations such as small lots and noise travelling easily. He stated that Bed & Breakfasts are different than Vacation Rentals. He spoke in favor of accountability of Vacation Rental operators, complaints and having a system for annual renewals.

Tomas Palm spoke in favor of Vacation Rentals and how Wimberley needs tourism and a place to stay and that we need to be more open minded of short-term properties. In support of sales in community.

1. Consent Agenda

Approval of minutes of the Regular Planning & Zoning Commission meeting on August 24, 2017.

Commissioner Pigg moved to approve the Consent Agenda, as presented. Commissioner Savino seconded. Motion carried on a vote of 4-0. Commissioner Espinoza abstained.

2. Public Hearing and Possible Action

- (A) Hold a public hearing and consider making a recommendation to City Council regarding case CUP-17-006, an application for a Conditional Use Permit to allow for the operation of a Bed and Breakfast facility on property zoned Single-Family Residential 2 (R-2), located at 2214 Flite Acres Road, Wimberley, Hays County, Texas. *(Gary & Gail Pigg, applicants)*

Commissioner Gail Pigg recused herself. Staff, Sandy Floyd, provided a summary of application. Acting Chair Meeks opened the public hearing at 6:11 pm. Gary Pigg,

applicant, spoke in favor of the application and provided background on the property and explained that there had previously been an approved Conditional Use Permit on the property for a Bed & Breakfast and had a house fire and were fortunate to have the Bed & Breakfast to live in while rebuilding. Acting Chair Meeks closed the public hearing at 6:13 pm. Commissioner Savino moved to approve and Commissioner Minnick seconded the motion. Motion carried on a vote 4-0.

- (B) Hold a public hearing and consider making a recommendation regarding an ordinance amending Title III (Administration), Chapter 35 (Fee Schedule), Section 35.01 (Fee Schedule) of the City of Wimberley Code of Ordinances; Providing for a general schedule of fees; and providing for the following: findings of fact, a savings clause; severability; repealer; effective date; and proper notice and meeting. (Planning & Development Coordinator/GIS Analyst Sandy I. Floyd)

Staff, Sandy Floyd, provided explanation of the proposed amendment. Acting Chair Meeks opened the public hearing at 6:17 pm. The public hearing closed at 6:17 pm. Commissioner Minnick moved to approve and Commissioner Savino seconded. Motion carried on a vote 5-0.

- (C) Hold a public hearing and consider making a recommendation regarding an ordinance amending Title XI (Business Regulations), Chapter 112 (Regulation of Vacation Rentals and Bed and Breakfast Lodgings), of the City of Wimberley Code of Ordinances; and amending Title XV (Land Usage), Chapter 155 (Zoning), Section 155.065 (Vacation Rental Lodging Requirements) of the City of Wimberley Code of Ordinances; and providing for the following: findings of fact, a savings clause, a repealing clause, a severability clause, and effective date and proper notice and meeting. (Place Four Councilmember Barchfeld)

Staff, Sandy Floyd, explained that this item had gone through the same process last year and was pulled prior to passing the final and second City Council reading because of the uncertainty of what would happen with short-term rentals in the Legislative session. Brad Young, Special Counsel, stated that nothing happened in the Legislative session regarding this item. Acting Chair Meeks opened the public hearing at 6:21 pm. Tomas Palm asked that a summary of the amendment be presented. Sandy Floyd provided a summary as stated in the agenda packet. Brad Young provided further explanation. Tomas Palm spoke against this proposed amendment. Edward Davis spoke in favor of this amendment. The public hearing closed at 6:38 pm. Commissioner Gail Pigg moved to approve amendment with requirements for a GIS database to track permitted Vacation Rentals and a system to log complaints on-line and Commissioner Minnick seconded. Motion carried on a vote 4-1. Commissioner Savino opposed.

- (D) Hold a public hearing and consider making a recommendation regarding an ordinance amending Title XV (Land Usage), Chapter 155 (Zoning), Section 155.107 (Planning and Zoning Commission) of the City of Wimberley Code of Ordinances for requirements relating to attendance and the removal of Commissioners, and providing findings of fact, a savings clause, a repealing clause, a severability clause, and effective date and proper notice and meeting. (Mayor Mac McCullough)

Staff, Sandy Floyd, provided a summary of amendment. Acting Chair Meeks opened the public hearing at 7:07 pm. The public hearing closed at 7:07 pm. Commissioner Savino moved to not recommend approval and Commissioner Minnick seconded. Motion carried on a vote 5-0.

- (E) Hold a public hearing and consider making a recommendation regarding an ordinance amending Title IX (General Regulations), Chapter 95 (On-Site Sewage Facilities Regulations), Section 95.02 (Definitions) and Tables 1.1(A), 1.1(B), and 1.1(C); of the City of Wimberley Code of Ordinances and providing for the following: findings of fact; a savings clause; severability; repealer; effective date; and proper notice and meeting. (Planning & Development Coordinator/GIS Analyst Sandy I. Floyd)

Staff, Sandy Floyd, provided a summary of amendment. Acting Chair Meeks opened the public hearing at 7:34 pm. The public hearing closed at 7:34 pm. Commissioner Minnick moved to approve and Commissioner Pigg seconded. Motion carried on a vote 5-0.

3. Discussion and Possible Action

- A. Discuss and consider possible action on updating the City Site Development Application. (Planning & Development Coordinator/GIS Analyst Sandy I. Floyd)

Staff, Sandy Floyd, stated she was not finished updating the application and that it would be for the next meeting.

- B. Discuss and consider possible action regarding City On-Site Sewage Facility usage requirement calculations. (Commissioner Gail Pigg)

Staff, Sandy Floyd, suggested that a few Commission members come to City Hall when the City Sanitarian has office hours for discussion. Commissioner Savino and Commissioner Espinoza decided they would do this and discuss findings at next meeting.

4. Staff and Commission Reports

- Announcements
- Future Agenda Items

Hearing no further future agenda items, the meeting adjourned.

Recorded by:

Sandra L Floyd

These minutes approved the 29th of September, 2017.

APPROVED:


Natalie Meeks, Acting Chair