

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Planning & Zoning Commission
Minutes of Regular Meeting
December 10, 2015 at 6:00 p.m.

Meeting called to order at 6:00 p.m. by Chair Rick Millinor. Present were Commissioners John Urban, Tracey Dean, Charles Savino, Thad Nance, and Rick Burleson.

Staff Present: City Administrator Don Ferguson

Citizen Communications:

No citizen comments were heard.

1. Consent Agenda

Approval of minutes of the Special Planning & Zoning Commission meeting on November 12, 2015.

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

2. Public Hearings and Possible Action

- A. Hold a public hearing and consider making a recommendation to City Council regarding Case #CUP-15-009, an application for a conditional use permit to allow for the operation of a vacation rental on a tract of land zoned Single Family Residential 3 (R-3), located at 201 Blue Hole Lane, Wimberley, Hays County, Texas. (*Henry Winston Ault, Applicant*)

City Administrator Ferguson reviewed the subject property's location, current/proposed zoning and uses, and existing 1,816 square foot, four-bedroom residence that was damaged by recent flooding. The applicant is in the process of completing flood repairs and once finished, the residence will contain three (3) bedrooms. He advised that the applicant is proposing to use the residence as a vacation rental, with a maximum occupancy of eight (8) people. Based on a review of the septic system, City staff recommends an occupancy limit of four (4) people.

In addition to the applicant's house rules, City Administrator Ferguson read a list of conditions to be made part of the requested conditional use permit (CUP), should the Commission desire to recommend approval. He noted that one (1) comment has been received to date in support of the CUP application.

Chairman Millinor opened the public hearing. Hearing no comments, Chairman Millinor closed the public hearing.

Commissioner Savino moved to recommend approval of the CUP application, as presented. Commissioner Nance seconded. Motion carried on a vote of 6-0.

- B. Hold a public hearing and consider making a recommendation to City Council regarding the Replat of Lots 1-I and 1-H2 of *The Ranch at Wimberley*, establishing a lot to be known as Lot I-V. (*Bruce Peters and Diana K. Patterson, Applicants*)

City Administrator Ferguson explained the proposed Replat plats one (1) lot having a total of 6.55 acres out of the original Lot 1-H2 and an adjoining Lot 1-I, to create a new lot to be known as Lot I-V. He advised that the proposed subdivision qualified as a Rural Subdivision, with water and wastewater service to be provided by an individual on-site well and by on-site sewerage facilities, respectively.

Chairman Millinor opened the public hearing. Hearing no comments, Chairman Millinor closed the public hearing.

Brief discussion addressed the subject property's public utility easement and purpose for the Replat request.

Commissioner Burleson moved to recommend approval of the Replat, as presented. Commissioner Dean seconded. Motion carried on a vote of 6-0.

3. Discuss and Consider Possible Action

- A. Discuss and consider possible action regarding changes to the City of Wimberley Zoning Code. (*City Administrator*)

This item was heard after Agenda Item 3B.

City Administrator Ferguson explained the matrix comparing residential zoning districts and their respective permitted/conditional uses and development regulations. He said most cities do not have as many single family zoning districts as Wimberley. Rather than use of multiple zoning districts to deal with issues such as setback regulations, he advised that a standard chart applicable to all single family residential lots could be developed.

Discussion addressed initial reasoning for creation of multiple single family residential zoning districts, reduction of the number of residential zoning districts, replatting that triggers the need for rezoning due to changes in lot size, and agreement that Commissioner Savino will review possible changes and present suggestions to the Commission for future consideration.

- B. Discuss and consider possible action regarding proposed modifications to the *City of Wimberley Comprehensive Plan*. (City Administrator)

This item was heard after Agenda Item 2B.

Chairman Millinor requested the Commission's input on certain parts of the proposed Comprehensive Plan (the Plan), particularly those that use language such as *require* or *mandate*, as opposed to *encourage*. He felt that there are contradictory statements within the Plan and spoke on its purpose as a vision for the City. Discussion included the Commission's role in the Plan's revision; statutory requirement for the City to have a Comprehensive Plan; clarification that the Plan is not a regulatory document; the Plan as a tool for guiding development of City regulations; and varying interpretations of specific language in the Plan.

Audience member Juniper Schneider spoke on the issue of including the importance of affordable senior housing in the Plan, especially if current senior housing options cease to exist. He felt the Plan contains vague language that does not stress the importance of affordable housing for the poorest members of the community. He said the hard-working poor deserve reasonable housing and the Plan's vision is an idle dream unless it incorporates very real values that motivate us to action.

Commissioner Savino felt the Plan should contain more specific, rather than general terms that may not be helpful enough as a guide for the City's future. As an example, he said there is no mention of improving sales tax revenues in the Plan's section on the City's economy. He believed that the Plan comes across as restrictive and controlling rather than making the community a better place for a lot of reasons. Key issues that he thought need to be addressed are affordable housing and use of the term *encouragement*, instead of *requirement* relating to rainwater harvesting and underground utilities.

Chairman Millinor advised that he will work with City Administrator Ferguson on making revisions based on tonight's input for future Commission consideration.

Brief discussion among the Commission and Mr. Schneider included various ways to bring affordable housing to Wimberley and the roles of government and private enterprise toward that effort.

4. Staff and Commission Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson advised that the Commission will meet on January 14, 2016.

Hearing no further announcements or future agenda items, Chairman Millinor called the meeting adjourned.

Adjourn at 6:55 p.m.

Recorded by:

Cara McPartland
Cara McPartland

These minutes approved the 28th of January, 2016.

APPROVED:

Rick Millinor
Rick Millinor, Chair

