

CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, THURSDAY, DECEMBER 18, 2014 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

Pg.

1. VISITORS/CITIZENS FORUM:

Any person with business not scheduled on the agenda is encouraged to briefly speak their ideas to the Commission. Please fill out the SPEAKER REQUEST FORM and give it to the Commission's Secretary prior to the meeting. The number of speakers will be limited to the first ten speakers and each speaker is limited to three minutes. (No formal action can be taken on these items as the Open Meetings Act requires formal action items be posted on an agenda no later than 72 hours before the meeting. If formal action is required, the items will be placed on an agenda for a future meeting.)

2. CONSENT AGENDA:

All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

2A. Approval of the minutes from the December 4, 2014 meeting.

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3. PUBLIC HEARINGS AND ACTION

3A. **Initial Zoning Classification** – Public hearing and recommendation to Council concerning an initial zoning classification of (RM) “Residential Mix” District, for an approximately 3.05 acre tract of land out of the W.H. Crawford Survey No. 653, Abstract No. 123, Kerr County, Texas, located at 421 Roy Street, contingent upon successful annexation. (Planning File No. 2014-033)

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3B. **Zoning Code Text Amendments** – Public hearing, consideration, and recommendation to Council on a proposed Zoning Code Text Amendment to amend Article 11-I-3, Article 11-I-4, and Article 11-I-19 of the Zoning Regulations, related to Community Garden land use within the zoning districts of the City and associated site development standards. (Planning File No. 2014-042)

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4. STAFF REPORTS

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5. ADJOURNMENT

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The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1117 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the city hall of the city of Kerrville, Texas, and said notice was posted on the following date and time: ____ at _____ and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Deputy City Secretary, City of Kerrville, Texas

3A. **Residential Replat** – Public hearing, consideration, and action concerning a proposed residential replat of lots 2 & 3, Block Three, The Summit, Phase 2, located at 2112 Vista Ridge.

Mr. Stewart presented the findings of fact and asked Commissioners to render a decision.

Comr. Watterson opened the public hearing for comments at 4:35 p.m. Hearing no one speak, Comr. Watterson closed the public hearing at 4:36 p.m.

Comr. Waller moved to approve the residential replat as presented; motion was seconded by Comr. Harmon and passed 5-0.

3B. **Zoning Map Amendment** – Public hearing, consideration, and action concerning a requested initial zoning of (PDD) Planned Development District for approximately 23.38 acres under annexation, and a rezoning of 6.385 acres from (GR) Guadalupe River to (PDD) Planned Development District, for a total of 29.765 acres of land in the F. Rodriguez Survey No. 72, Abstract No. 280, Kerr County, located at 5235 State Highway 27 East.

Mr. Stewart presented the findings of fact and asked Commissioners to render a decision.

Comr. Watterson opened the public hearing for comments at 4:40 p.m. Hearing no one speak, Comr. Watterson closed the public hearing at 4:41 p.m.

Comr. Morgan moved to approve the zoning map amendment as presented contingent upon annexation; motion was seconded by Comr. Motheral and passed 5-0.

4. STAFF REPORTS:

4A. Report concerning future agenda items.

December 18, 2014:

- Zoning Text Amendment re: Community Gardens
- Annexation and new zoning, 421 Roy St.

4. ADJOURNMENT

This meeting was adjourned at 4:46 p.m.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 3A

FOR AGENDA OF:

December 18, 2014

DESCRIPTION: Public hearing and recommendation to Council concerning an initial zoning classification of (RM) "Residential Mix" District, for an approximately 3.05 acre tract of land out of the W.H. Crawford Survey No. 653, Abstract No. 123, Kerr County, Texas, located at 421 Roy Street, contingent upon successful annexation. (Planning File No. 2014-033)

APPLICANT(S): Lee Voelkel

ATTACHMENT(S): Location Map

SUMMARY STATEMENT

This item concerns a public hearing only for initial zoning classification of 421 Roy St, which is concurrently in the annexation process. The applicants requested annexation by petition on August 1, 2014 and the Council granted the petition and directed Staff to begin the proceedings with Resolution No. 27-2014 on September 23, 2014.

The item will return to the Council for a first reading on the requested annexation and zoning ordinances on January 13, 2015. The process is scheduled for second reading on both ordinances January 27, 2015.

The applicant has requested RM "Residential Mix" zoning. This district allows all uses permitted in the "RC" Residential Cluster District with the addition of the development of subdivisions which include the location of manufactured housing, subject to certain development restrictions.

The adjacent property to the south and east is zoned RM "Residential Mix".

RECOMMENDED ACTION

1. Open the required public hearing and receive comments.
2. Make a recommendation to city council.

P&Z Case #2014-033 Petition for Annexation Location Map

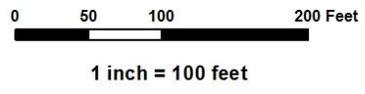


Legend

- Petition for Annexation
- City Limits
- Zoning Districts
- KCAD Parcels
- Streets
- Water Mains
- Sewer Mains



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.



**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 3B

FOR AGENDA OF:

December 18, 2014

DESCRIPTION: Public hearing, consideration, and recommendation to Council on a proposed Zoning Code Text Amendment to amend Article 11-I-3, Article 11-I-4, and Article 11-I-19 of the Zoning Regulations, related to Community Garden land use within the zoning districts of the City and associated site development standards.

APPLICANT(S): City of Kerrville

ATTACHMENT(S): Ordinance No. 2014-24

SUMMARY STATEMENT

The current zoning regulations do not contain guidance on “community gardens” as a use, nor regarding accessory uses, which usually accompany such principal use. Based upon recent inquiries about the feasibility of community garden use, with respect to the zoning regulations, Staff has initiated this text amendment to be able to address this use.

As proposed, the amendment to the regulations would define a “community garden”, permit this use within all districts, and apply a set of site development standards. Specifically, the amendments are as follows:

Art. 11-1-3 DEFINITIONS AND INTERPRETATION OF WORDS AND PHRASES

Add the following definition.

a) Definitions: For purposes of this Chapter, the following words and phrases shall have the following meanings unless the context otherwise clearly indicates a different meaning:

Community Gardens: a single piece of land gardened collectively by a group of people for the growing and harvesting of food crops and/or non-food, ornamental crops, such as flowers. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Art. 11-1-4 ZONING DISTRICTS-GENERALLY

Add the following land use to be permitted in any zone.

(f) Uses Permitted in Any Zone: The following uses are permitted in any zoning district of the City:

“Community Gardens”.

Add the following site development regulations.

H. Community Gardens: *a single piece of land gardened collectively by a group of people for the growing and harvesting of food crops and/or non-food, ornamental crops, such as flowers. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members and shall be subject to the following site development regulations:*

1. *can be publicly or privately held;*
2. *may be placed on a roof structure provided that all applicable building and fire codes are in compliance;*
3. *lighting shall be shielded so that substantially all directly emitted light falls within the property.*
4. *shall only be utilized for gardening purposes and not utilized as a storage lot for equipment or materials not associated with the garden;*
5. *compost piles abutting adjacent properties shall not be visible from adjacent property (shielded from view by shrubbery or an enclosure);*
6. *shall be managed to prevent the harborage of rodents and pests.*
7. *shall be maintained to prevent odors.*
8. *the site shall be designed and maintained to prevent water from irrigation and/or other activities and/or fertilizer from draining onto adjacent property.*
9. *trash areas shall be provided and screened on at least three (3) sides from public view;*
10. *commercial waste disposal shall be required for the site;*
11. *parking spaces shall be constructed in accordance with the City of Kerrville's parking standards and required based on one (1) space per 4,000 square ft;*
12. *an accessory structures such as greenhouses, sheds, farmstands, or other similar structures may be placed on the property without the presence of an associated primary structure;*
13. *an accessory structure must adhere to the primary structure setback requirements for the zoning district or land use;*
14. *may only be utilized for the storage of equipment and materials required for the operation of a community garden;*
15. *must be removed from the property upon the cessation of the community garden*

Amending the text of the zoning ordinance requires that the Planning and Zoning Commission hold a public hearing on the matter, and in consideration of public testimony and the Comprehensive Plan, that the Commission makes a recommendation to the Council.

RECOMMENDED ACTION

1. Open the required public hearing and receive comments.
2. Make a recommendation to City Council.

