



CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, Thursday, August 20, 2020 at 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

Planning & Zoning Commission Procedures during the Disaster Declaration

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, Planning & Zoning Commission, and City staff within a physical setting constitutes a public health risk. On March 16, 2020, the Texas Governor suspended certain requirements of the Open Meetings Act to permit open meetings to occur in a fully virtual setting (e.g., telephonic or videoconference meeting).

In an effort to avoid and mitigate health risks, and limited occupancy levels in Council Chambers, the Planning & Zoning Commission will convene in a virtual forum and attendance will be limited to only those persons essential to holding the meeting. No member of the public will be admitted into City Hall during this time.

Citizens can provide public comment through Zoom. Zoom telephone numbers are toll free: 1-877-853-5247 or 1-888-788-0099. The Meeting ID is **998 1093 4976#**. (You must enter the pound sign (#) after the Meeting ID.) *See Citizen Participation Guidelines below.

For Public Hearing items a caller seeking to speak on these items may call at any time prior to the item being introduced at the meeting. All callers are encouraged to call between 3:45 p.m. and 4:15 p.m. to be registered by the moderator. A caller must use the "raise your hand" feature on Zoom in order to be called upon for the Public Hearing. On a computer, tablet, or mobile phone click on "Participants" and click on "Raise Hand" button. By landline telephone press *9.

A person may also submit written comments on specific agenda items, to include public hearings, and comments will be read into the meeting record. Comments must include a name, address, and a reference to the relevant item. Comments that do not include such information will not be read. The City must receive all comments by 4:15 p.m., August 20, 2020. Comments may be:

- a. dropped off at the City Hall Utility Payments Drop-Box; or
- b. emailed to planning.division@kerrvilletx.gov.

Citizens may view and hear this Planning and Zoning Commission meeting on Spectrum Channel 2 or by live-streaming via the City's website (www.kerrvilletx.gov).



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REGULAR MEETING, Thursday, August 20, 2020 at 4:30 P.M.
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701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

1. MINUTES

1A. Approval of the minutes from the August 6, 2020

2. PUBLIC HEARING, CONSIDERATION & ACTION

2A. An ordinance amending City of Kerrville, Texas Zoning Code, Chapter 60 of the City's Code of Ordinances to include updates and amendments to: definitions, development regulations in certain districts, administrative processes, the Land Use Table, and adopt the City of Kerrville Development Standards. (Case No. 2020-037)

2B. An ordinance amending City of Kerrville, Texas Sign Code, Chapter 92 Signs, to add regulations for signs within the RT Residential Transitional Zoning District. (Case No. 2020-038)

2C. An ordinance amending City of Kerrville, Texas Thoroughfare Plan, a part of the Kerrville 2050 Comprehensive Plan, to include an amendment near Olympic Drive and Loop 534 and an amendment near Ranchero Road and Bearskin Trail. (Case No. 2020-039)

3. DISCUSSION

3A. Discuss Conditional Use Permits for Short Term Rentals

4. EXECUTIVE SESSION

At any time during the meeting, the Planning and Zoning Commission may meet in executive session regarding any of the matters posted above for attorney-client consultation in compliance with the Texas Open Meetings Act.

5. ADJOURNMENT

I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: August 14, 2020 at 4:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Shelley McElhannon

Shelley McElhannon, City Secretary, City of Kerrville, Texas



ALTERNATIVE CITIZEN/PUBLIC PARTICIPATION GUIDELINES (Due to COVID-19 Pandemic Disaster Declaration)



Despite the necessity to restrict public access to Kerrville Planning and Zoning Commission meetings in the interest of public health during the COVID-19 pandemic, citizens and visitors are welcome to participate in Kerrville Planning and Zoning Commission meetings in several alternative ways as outlined below.

Instructions for callers:

Dial one of the following numbers:

877 853 5247 (Toll Free) or

888 788 0099 (Toll Free)

If you cannot get through on one of the numbers due to network congestion, call the other number.

When your call is answered you will hear “**Welcome to Zoom, enter your Meeting ID followed by pound.**” Enter in the Meeting ID below followed by the pound sign (#).

The Meeting ID is **998 1093 4976#**

If the moderator has not started the meeting yet, you will hear “The meeting has not started yet, please hold or call back later.”

Once you have called into the meeting, your microphone will be placed on mute and your call will be placed in the call queue. At this point, you will hear silence on the phone. Do not hang up. The moderator will unmute your microphone as he/she is going down the list. Once the meeting has started, you will be able to listen to proceedings even if your microphone is muted.

The moderator will be accepting calls starting at 3:45 p.m. For items 1A and 3A place your call before 3:45 p.m. in order to participate. Callers seeking to speak on these items and who call after this time will not be allowed to speak. However, for Public Hearing items 2A, 2B and 2C, a caller seeking to speak on these items may call at any time prior to the item being introduced at the meeting. All callers are encouraged to call between 3:45 p.m. and 4:15 p.m. to be registered by the moderator. A caller must use the “raise your hand” feature on Zoom in order to be called upon for the Public Hearing. If a caller is using the Zoom app on a computer, tablet, or mobile phone click on “Participants” and click on “Raise Hand” button. By landline telephone press *9 when requesting to speak.

Instructions for written comments:

Written comments will be accepted for any agenda items, including Public Hearings.

Written comments will be read into record and can be provided in two different ways:

OPTION 1 by hard copy – Comments may be dropped off at the City Hall Utility Payments Drop-Box on the north side of City Hall by 4:15 p.m. the day of the meeting. You are required to provide your first and last name, address, and identify the item you are commenting on.

OPTION 2 by email - Comments can be emailed to planning.division@kerrvilletx.gov and must be received by 4:15 p.m. the day of the meeting. You are required to provide your first and last name, address, and identify the item you are commenting on.

For either option, please provide **all required information** in order for your comments to be accepted. Thank you for your participation!

6 Month Review and Updates:

Zoning Code
Sign Code
Thoroughfare Plan

Planning and Zoning Commission
August 20, 2020



Outline

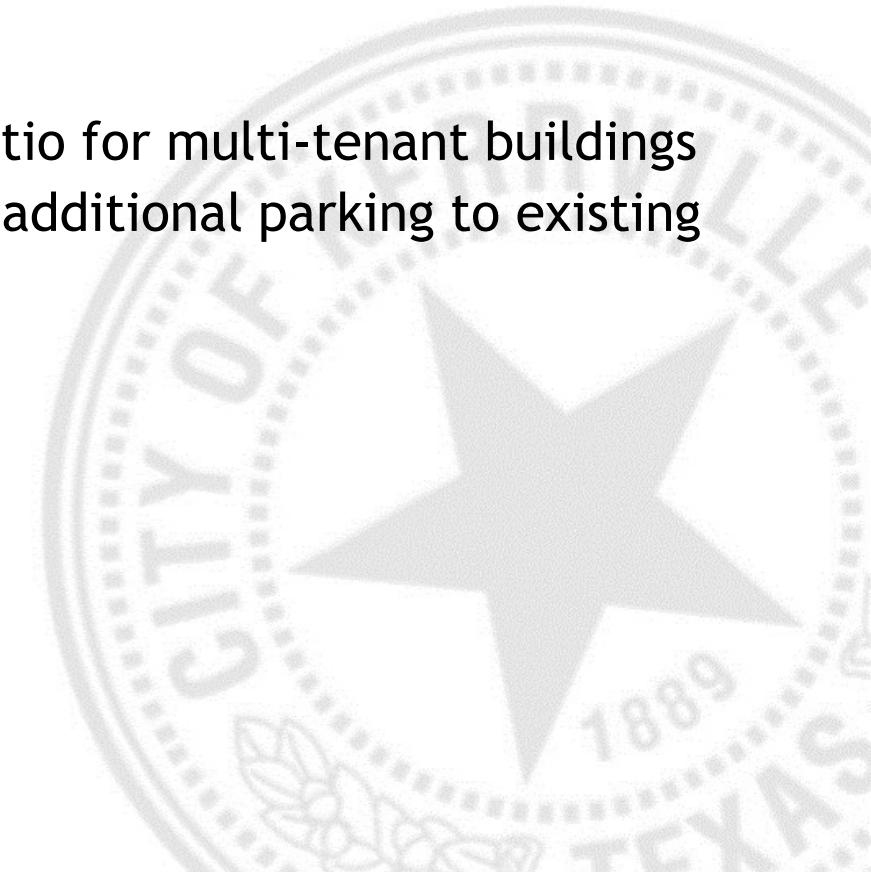
Zoning Code

- Typographical Corrections
- Small Number of Zoning Map Corrections
- Definitions
 - Bed and Breakfast definition
 - Height definition
 - Review Church definition for accessory uses
- Development Regulations
 - Carport in front yard/drive (acc. Bldg. in front of house)
 - RT : clarify other residential uses and requirements
 - Setback adjacent to non-conforming single family residential in the MU district
- Administrative Processes
 - Pre-application meetings
 - Appeal of a case

Outline

- Building Materials as Related to HB 2439
- Airport District
 - New definitions
 - Amended Land Use Plan
- Parking requirements
 - Parking requirements: add a “general” parking ratio for multi-tenant buildings
 - Consider a CUP process to limit requirements for additional parking to existing buildings
- City of Kerrville Development Standards
- Administrative variances

Sign Code Update
Thoroughfare Plan Updates





Typographical Corrections

Typographical Corrections

- C-2 Purpose section
 - Should refer to C-1
- Definition of residential districts with regards to limited regulation in adjacent districts.
(ex. Page 98 Section 4
(*typo, should be 3*)

(b) **Light Commercial District (C-2):** Property located in a(n) C-2 district shall be developed in accordance with this Zoning Code, including the following regulations:

(1) **Purpose:** The C-2 district accommodates a wider array of retail, office, and service uses than property zoned C-2, and will therefore attract customers from across the community and in the area outside the City. Lots on property zoned C-2 may be somewhat larger than those in the C-1 district and buildings may be up to 100,000 square feet in size. This zoning category should be applied along major collectors or arterials to provide convenient access to patrons and to accommodate higher traffic volumes.

(2) **Uses:** Neighborhood-oriented retail, office and service uses allowed in C-1 zoning, low-intensity automobile uses such as parts sales, gasoline sales, car washes, and minor service and repair, restaurants, including those with drive-thru service, microbreweries and wineries, certain public and institutional uses, and activities allowed subject to the approval of a Conditional Use Permit. Refer to *Table 1, Land Use Table* for a specific list of uses allowed in the C-2 district.

(4) **Building and Area Regulations:** No building shall be constructed in a C-2 district except in conformance with the following requirements.
“Residential Zoning District” as referenced in the regulations below shall have the following meaning and shall apply whether the residential property is developed or vacant:



Typographical Corrections

- R-1 Purpose section

(b) **Single-Family Residential District (R-1).** Property located in a(n) Single-Family Residential District shall be developed in accordance with this Zoning Code, including the following regulations:

(1) **Purpose:** The purpose of the R-1 district is to: (a) encourage the development of primarily single-family detached homes; and, (2) protect developed and vacant properties that are determined to be appropriate for such homes from uses that will produce inappropriate levels of traffic, noise, and pollutants, and other conditions not conducive to a residential environment.

- C-3 Purpose section

(c) **General Commercial District (C-3):** Property located in a(n) C-3 district shall be developed in accordance with this Zoning Code, including the following regulations:

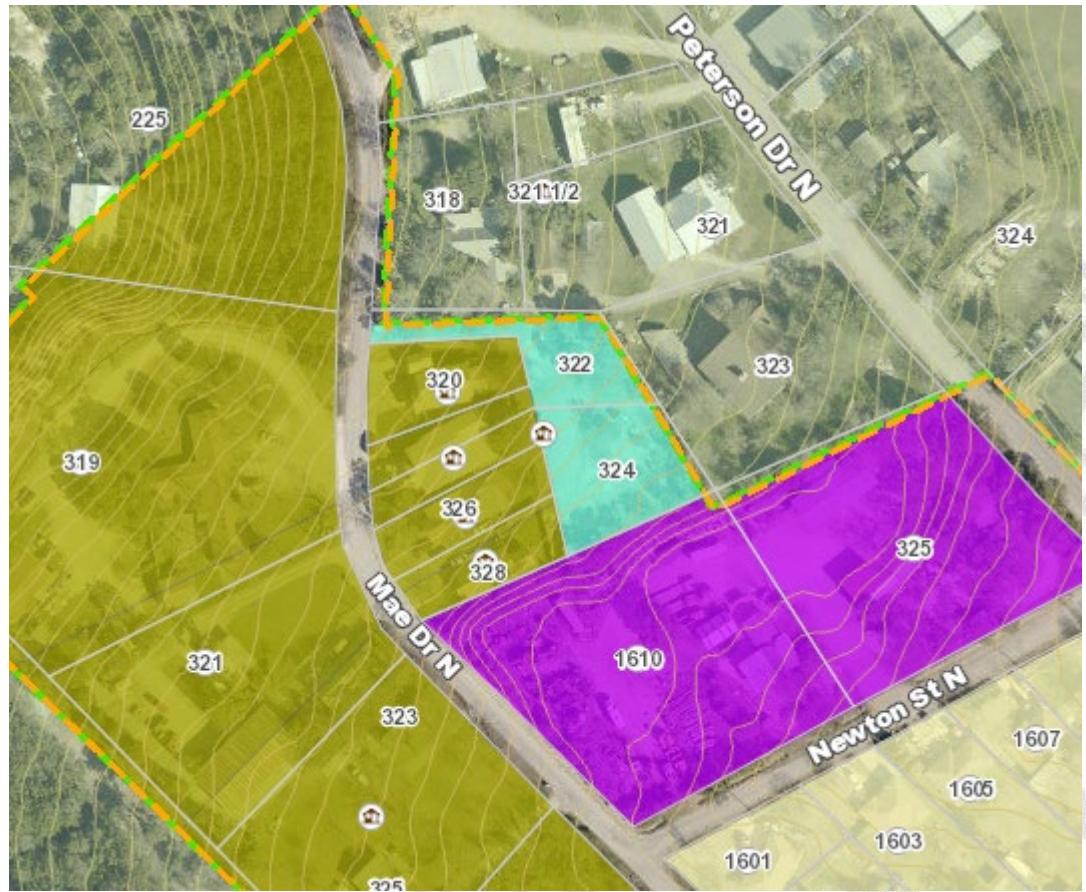
(1) **Purpose:** The C-3 district is designed to accommodate: (a) retail, service, and office uses; (b) activities of an entertainment, recreation, or tourism nature; and, (3) heavier motor vehicle-related uses and other more intense businesses. Properties zoned C-3 should be located along major transportation corridors.



Zoning Map Corrections

Zoning Map Corrections

322 - 324 Mae Drive: PI to R-2



Zoning Map Corrections

Map amendments for City Parks

Habitat Park (R-2 to PI)

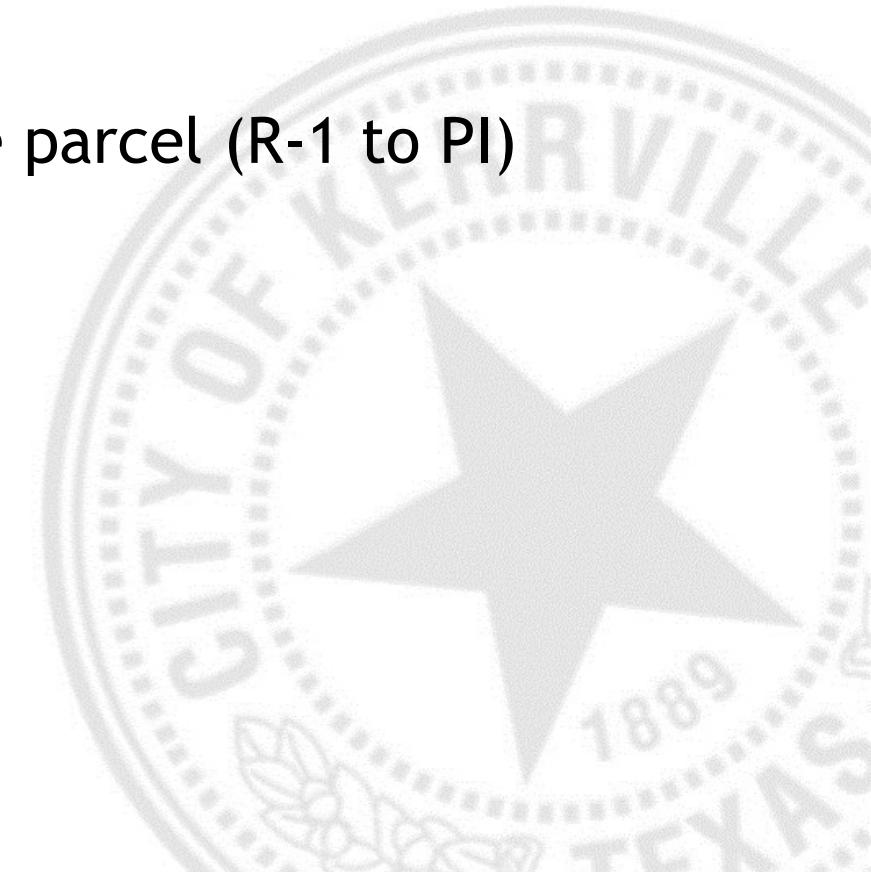
Sendero Ridge missing one Park/open space parcel (R-1 to PI)

BC Richards Park - (R-1 to PI)

Memorial Park (in TIRZ, MU to PI)

Westland Park (R-1A to PI)

Shultz Park (R-1 to PI)





Definitions

Bed and Breakfast, Hotel, and Short Term Rental Units (STR)

Bed and Breakfast Inn means a facility offering short-term lodging for compensation in up to 20 rooms, and which may provide meals to those who receive lodging only. (in a non-residential zoning district)

Hotel or motel means an establishment:

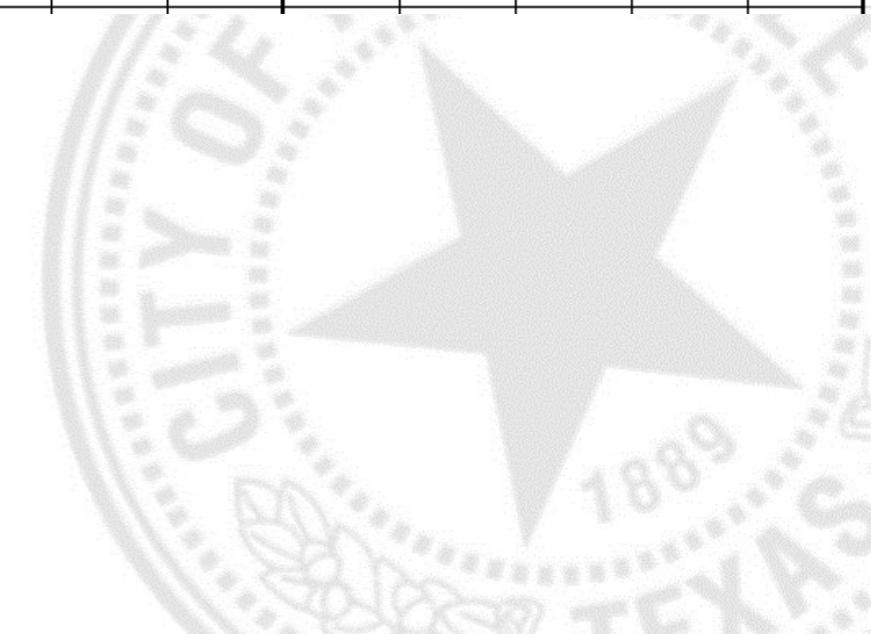
- (1)Defined by V.T.C.A., Tax Code § 156.001, as may be amended; or
- (2)That provides short-term lodging to guests for compensation and which may include amenities such as food and beverage service, meeting rooms, entertainment, recreational/fitness/spa facilities, and various personal services for guests and potentially the public and subject to other city ordinances, rules, or regulations.

Bed and Breakfast, Hotel, and Short Term Rental Units (STR)

Short-term Rental Unit means a facility, used for the purpose of providing short-term lodging for compensation, architecturally designed to look like a single-family dwelling, occupied concurrently as the residence for the owner, operator, or manager of the property, or providing separate lodging units such as cabins, guest homes, or similar residential-scale structures, with no more than six bedrooms total on the property, and offering meals only to those who receive lodging, and providing that all bedrooms used as a permanent residence shall count toward the maximum six bedrooms of the short-term rental unit. (in a residential zoning district)

Bed and Breakfast, Hotel, and Short Term Rental Units (STR)

LAND USES	Residential Districts							Nonresidential Districts				Special Districts				
	R-E	R-1	R-1A	R-2	R-3	R-M	R-T	C-1	C-2	C-3	IM	DAC	MU	PI	AD	AG
Bed and Breakfast								P	P	P		P	P			
Hotel (See also, Motel)										P		P	P		P	
Motel										P		P	P		P	
Short-term Rental Unit	C	C	C	C	P	C	P					P	P			C





Church accessory uses

Review Church accessory uses on primary lot, adjacent lots, nearby lots, etc. and how to define/limit those accessory uses.

All buildings and uses on the same lot versus allowing auxiliary buildings and uses on an adjacent lot or nearby lots.

Church, Temple, Mosque, or Place of Worship: any structure used principally for regular assembly for religious worship and those uses or activities which are customarily associated with the worship facility, such as a rectory/parsonage or living quarters for the principal religious leader at the facility, social centers, fellowship halls, classrooms for religious instruction, and including schools, day care, and other uses affiliated with the place of worship, provided they are on the same lot as the main sanctuary.

Amend the definition to allow contiguous lots and adjacent lots within the same block.



Definition of Height in Zoning Code vs. Building Code

Zoning Code

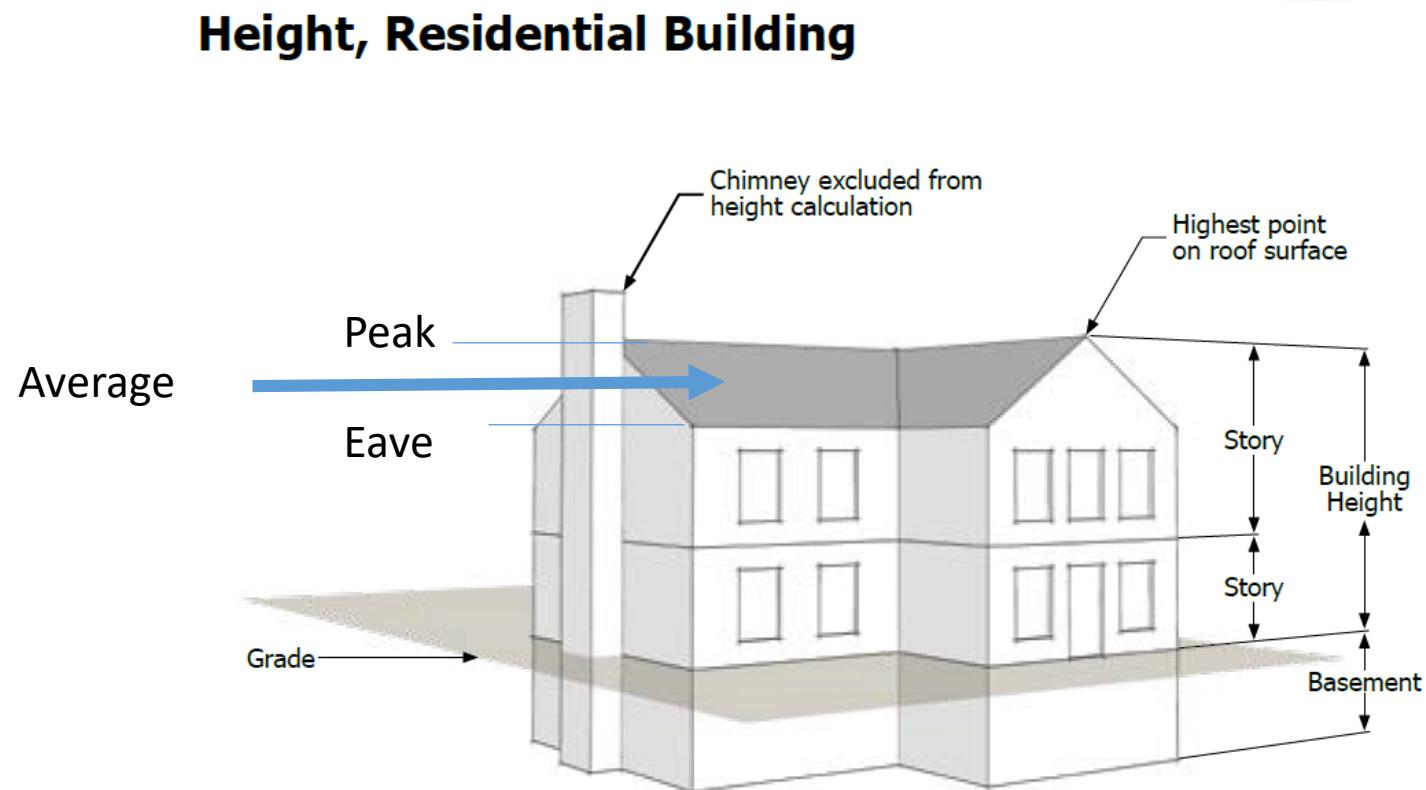
Height means the vertical distance measured from grade ~~to the highest roof surface to the average height of the highest roof surface~~, or to the highest point of any structure erected on a roof of a building, whichever is greater; provided, however, church spires, belfries, communication antennae, and water towers shall not be considered when determining the maximum height of a structure, and excluding parapet walls less than four feet in height, chimneys, cooling towers, elevator equipment, mechanical equipment rooms, ornamental cupolas, standpipes, elevator bulkheads, or domes. See appendix, figures 3 and 4.

Building Code

HEIGHT, BUILDING. The vertical distance from grade plane to the average height of the highest roof surface.

Definition of Height Recommendation

Recommendation is to align the zoning code definition with the building code for consistency.





Development Regulations



Accessory structures in front of primary

Accessory structure in front of the home are subject to 30" max height.

Recommend that we include an exemption from this rule for carports.



Mixed Use References

Several references throughout the code for “Land Zoned MU or PD for single-family, patio home, townhome, or duplex uses.” MU does not allow for these housing types. Need to track and amend each instance to remove MU.

Section 60-50(f)(4)c. - R-3

Section 60-50(e)(4)c. - RM

Section 60-51(a)(3)c. - C-1

Section 60-51(b)(3)c. - C-2

Section 60-51(c)(3)c. - C-3

Section 60-51(d)(3)c. - IM

Section 60-52(b)(3)c. - MU

Section 60-52(d)(3)c. - PI

Section 60-52(e)(3)c. - AD

(3) **Building and Area Regulations:** No building shall be constructed in a(n) MU district except in conformance with the following requirements.

“Residential Zoning District”, as referenced in the regulations below, shall have the following meaning and shall apply whether the residential property is developed or vacant:

a. RE, R-1, R-1A, or R-2 zoning;

b. RM zoning if developed for other than manufactured housing; or

c. Land zoned MU or PD for single-family, patio home, townhome, or duplex uses.

Residential Transition, RT District

Clarify requirements for other residential uses

Update requirement tables similar to R-1A and R-2 to include specific development requirements for Duplex and Accessory Dwelling Units

Requirement	
<i>Single-family dwelling</i>	<i>Nonresidential use</i>

Dwelling, Duplex	P
Dwelling, Live/Work	P
Dwelling, Multifamily	C
Dwelling, Single-Family Detached	P
Dwelling, Single-Family Detached with Accessory Dwelling Unit	P



Administrative Processes

Pre-application meetings

These meetings are recommended but optional, remove the word “Mandatory”.

ARTICLE X. ZONING CHANGES AND AMENDMENTS TO THE ZONING CODE

Sec. 60-65. Limited Zoning Amendments (Site Specific/Map Amendments).

Amendments to existing zoning district boundaries, the use and development regulations affecting a specific property or a specific zoning district, and other regulations that do not have a general City-wide effect shall be adopted in accordance with the following procedures:

- (1) **Mandatory** Preliminary Conference: Prior to submitting an application for a zoning change, an applicant or the applicant's authorized representative **should** meet with the Director to receive information regarding application procedures and requirements.

Appeal of a Case

Amend from 10 day deadline to 14 days

Article X Section 60-65 (7) Effect of Recommendation to Deny:

Where the Planning and Zoning Commission makes a recommendation to deny a request for a zoning change, the application will not automatically be placed on a City Council agenda. In order Council to consider the application pursuant to an agenda item, the applicant shall appeal the Commission's decision in writing to City Council within 10 14 days after the Commission's recommendation to deny.

Additional language to clarify the process and timing:

Placed on a Council agenda within 30 days, if possible.

Applicant may request an extension of no more than 60 days from P&Z denial date.



Mixed Use Concept Plan

Add language to allow a Concept Plan for Mixed Use to be deferred and approved through a later process.

(4) **Concept Plan:** An application for MU zoning shall include a concept plan drawing as defined herein, indicating the preliminary layout of proposed uses, proposed structures, parking utilities, and, if applicable, project phasing. The concept plan shall be construed as an illustration of the development concepts and not an exact representation of all specific details.

- Requires notice to adjacent property owners within 200', similar to a zone change request.



Building Materials



Building Materials as Related to HB 2439

Recommend removing building appearance and material requirements/restrictions to be consistent with HB 2439.

- R-3
- RT

b. **Building Appearance:** The building containing the accessory use shall be designed to appear as a residence, with:

1. A wood, rock, or brick exterior;
2. A roof constructed of materials and with a similar pitch to other residences in the adjoining neighborhood; and
3. A front door and window(s) on the wall of the building facing the lot front or street.



Airport District



Airport District

Airport District: amend/add to the list of permitted uses and expand the use table to include more aviation specific uses and definitions.

- Add Aviation Service and Repair use and definition
 - Aircraft maintenance. The repair, adjustment or inspection of aircraft. Major repairs include major alterations to the airframe, power plant, propeller and accessories. Minor repairs include normal, routine annual inspection with attendant maintenance, repair, calibration or adjustment or repair of aircraft and their accessories.
 - Aircraft sales. The sale of new or used aircraft through franchises or licensed dealership or distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or otherwise; and provides such repair, services and parts as necessary to meet any guarantee or warranty on new or used aircraft sold by it.

(continue on next page)

Airport District

Airport District: amend/add to the list of permitted uses and expand the use table to include more aviation specific uses and definitions.

- Aviation Service and Repair (continued)
 - commercial or industrial uses that are related to aviation and require direct access to an airport facility or aviation services, including assembly or sale of aircraft, air frames, air craft engines, aircraft parts or associated components, radios or navigational equipment, and similar products or services;
 - Aviation Facilities-landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales and rental of aircraft, including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

Airport District Amended Land Uses

LAND USES	AD	
Accessory Building or Structure	P	P
Agricultural Services	P	C
Airport	P	P
Artisan's/Craftsman's Workshop	P	P
Automated Teller Machine (ATM)	P	P
Aviation Service and Repair	P	P
Bank or Financial Institution	P4	P
Bar or Cocktail Lounge	C	P
Brewpub	C	C
Building Contractor, Temporary Field Office	P6	P
Caretaker's Residence	C	P4
Cemetery	P	P
Church, Temple, Mosque, or Place of Worship	P	P
College or University, Public	P	P
Community Garden	P8	P
Convenience Store with Fuel Sales	P9	P
Convenience Store without Fuel Sales	P	P
Dinner Theatre	P	P
Drug Store	P	P
Dwelling, Live/Work	P	P
Electronic Sales/Service	P	P
Fabrication Processes	P	P
Food Truck Park	C	C
Hotel (See also, Motel)	P	P
Job and Vocational Training Center	P	P
Machine Shop	P	P
Mailing Service	P	P
Manufacturing, Assembly		P
Manufacturing, General		C
Motel		P
Museum		P
Office, General (Business or Professional)		P
Parking Lot or Structure, Accessory		P
Parking Lot, Stand-Alone		P
Parking Structure		P
Public or Institutional Facility or Use		P
Rectory/Parsonage		P
Research and Development Lab		C
Restaurant, Food and Beverage Shop		P
Restaurant, General, With Drive-Thru or Drive-In Service		P4
Restaurant, General, Without Drive-Thru Service		P
School, Public, Elementary		P
School, Public, Intermediate and Secondary		P
Security Service		P
Showroom, in Conjunction with Warehousing and Distribution		P
Showroom, without Warehousing and Distribution		P
Smoke Shop		P
Sporting Goods Store		P
Toy, Gift, Hobby, and Novelty Shop		P
Transportation Terminal, Bus/Aviation		P
Utility, Local		P
Utility, Private or Franchise		C
Utility, Public		P
Warehousing and Distribution		P
Welding Shop		P
Wholesaling		P



Parking Requirements

Parking Requirements

Add a “general” parking ratio for multi-tenant buildings and not require specific to each tenant use

Potential for CUP for parking reductions based on existing situations and tenants

Ex: existing building is not required to provide additional parking because of a change of use.



City of Kerrville Development Standards



City of Kerrville Development Standards

Code references

Definition

P&Z Ordinance Review, subsection (f)

60-41 (1)b and (2)b - both reference Zoning Code or Dev. Std., Zoning Code should control, not Dev. Std.

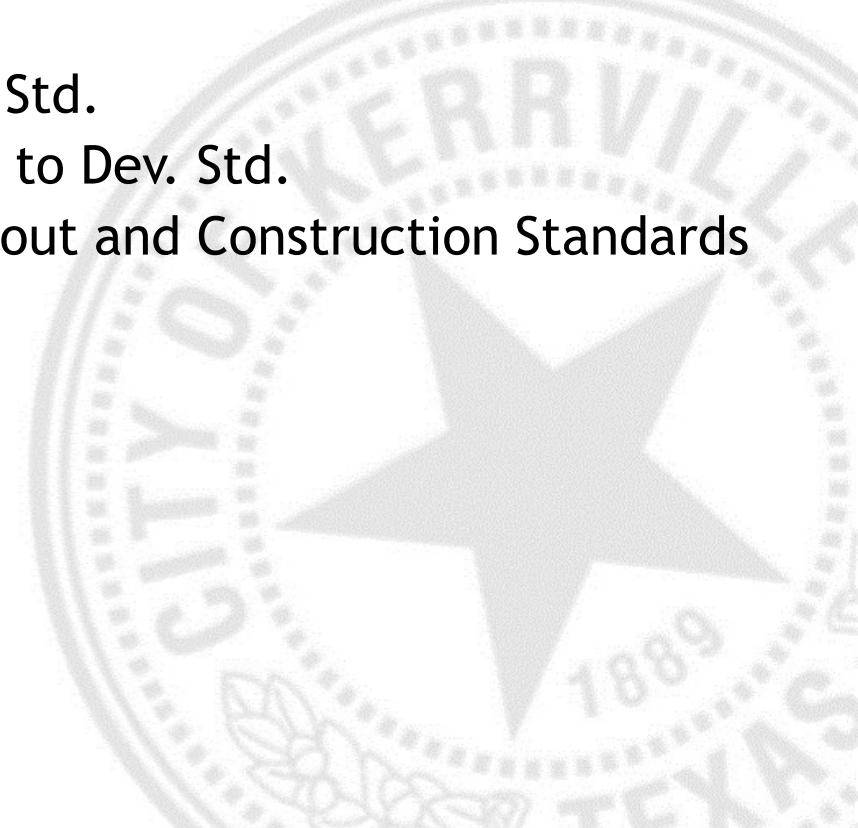
RT Zoning, Signage - reference to sign code and Dev. Std.

60-60 Supplementary Requirements apply in addition to Dev. Std.

60-101 Off- Street Parking Subsection (b) Parking Layout and Construction Standards

New document with standards

Parking layout and construction standards required

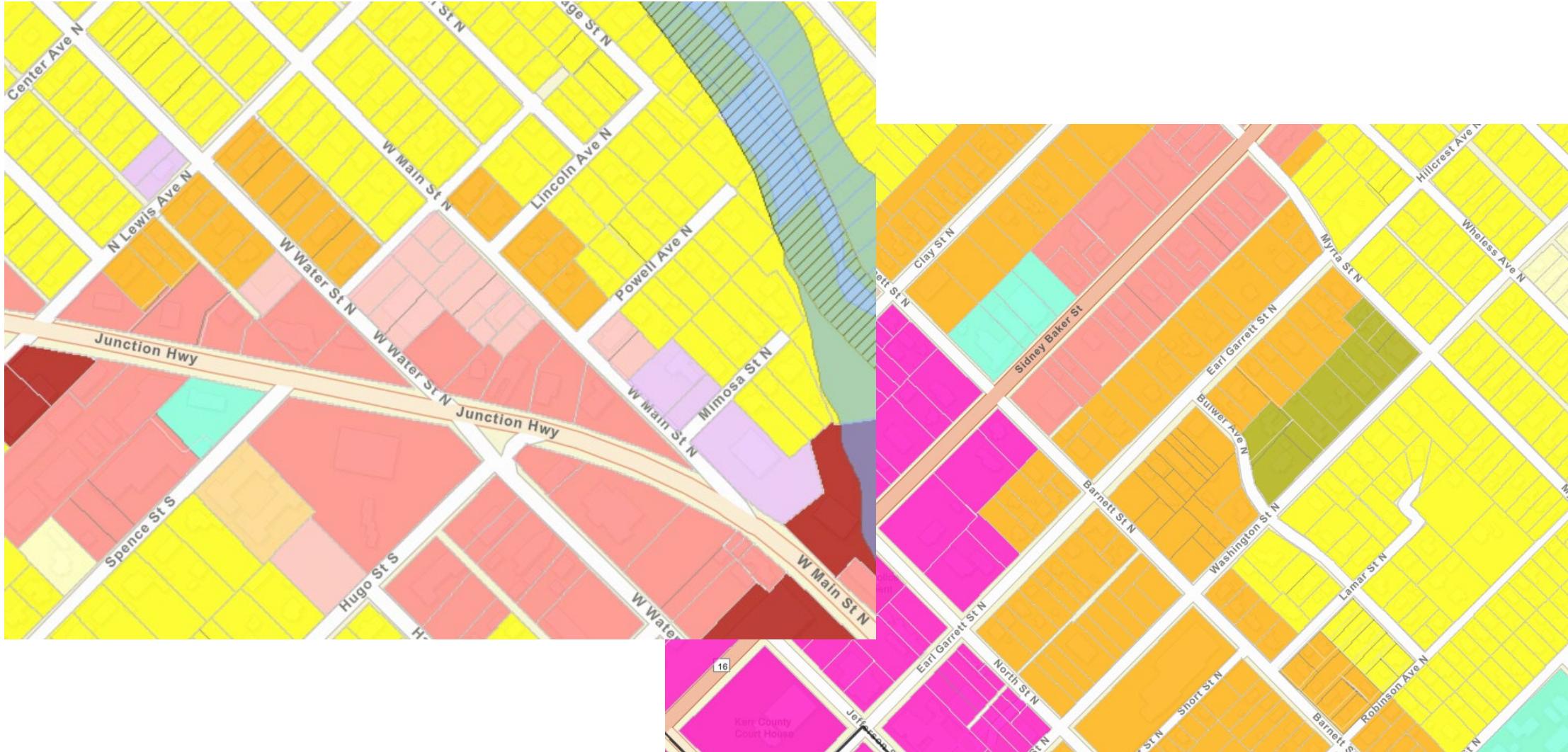




Sign Code Update

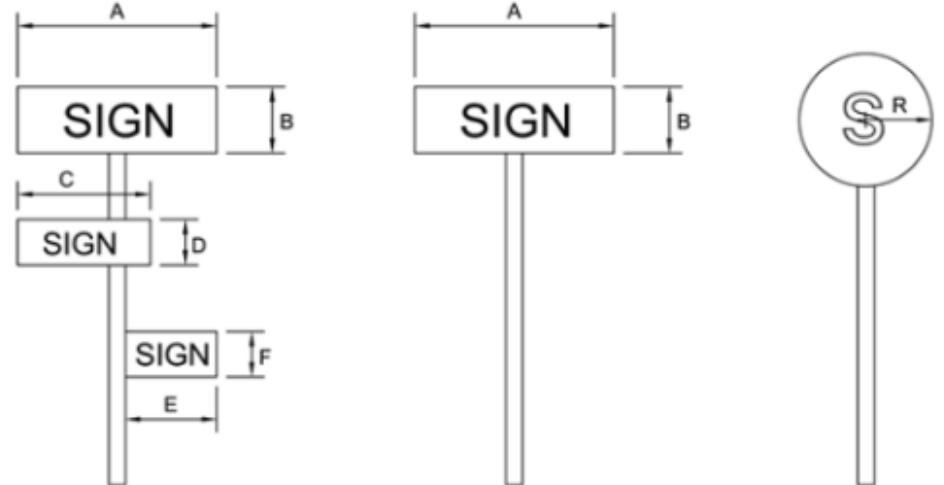
Sign Code Review and Update

- Consider specific requirements for signs located in the RT District

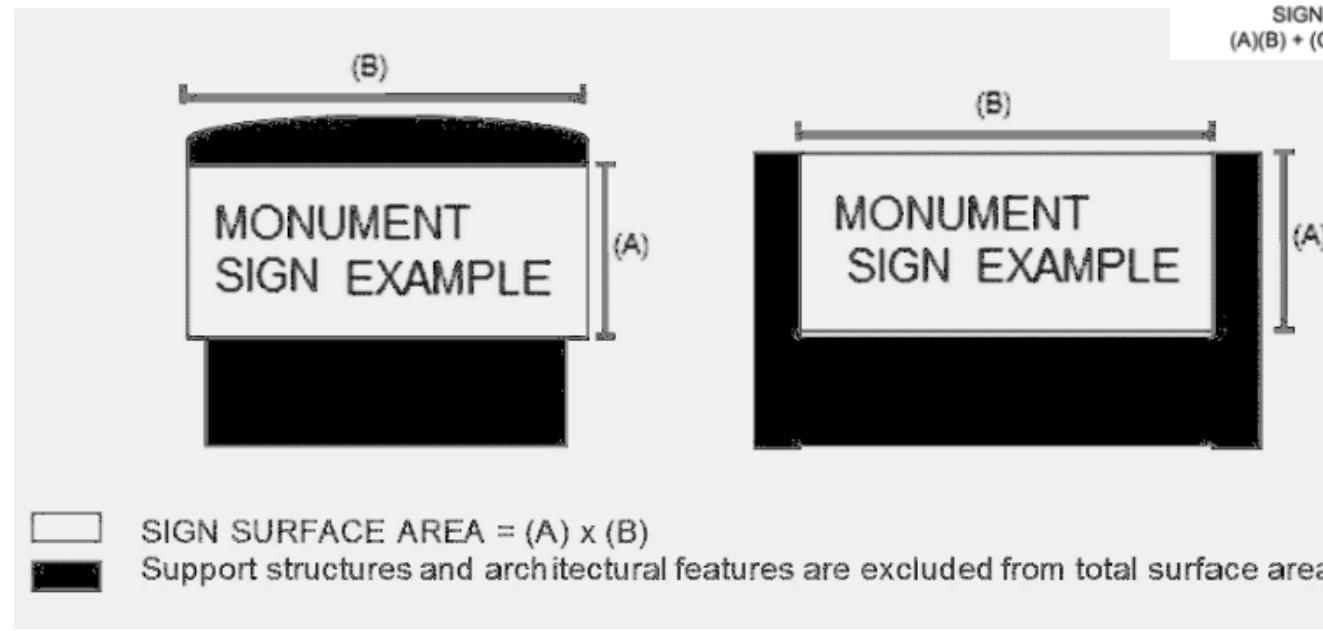


Sign Code Review and Update

Area: Examples of Freestanding (Pole) Signs



Area: Example of Monument Sign

















320

Corey C. Davis CPA

Attorney At Law

830-257-8800









Summary of RT Signs

- Maximum height of existing freestanding signs
 - 8 foot maximum
 - Average height 7'8"
- Typical style or type of sign
 - Freestanding signs are the majority
 - Three are true monument signs
- Lighting
 - Most signs are not lit
 - One with up lighting
- Electronic message board
 - 1 sign with electronic message board





Recommended Code Update for RT Signs

Separate section in sign code for RT, similar to DAC

The following regulations apply to establishments and free standing or monument signs located within the Residential Transition (RT). Such regulations are in addition to other regulations found within this chapter unless a conflict arises between those provided here and any other, in which case the regulations found within this section will apply:



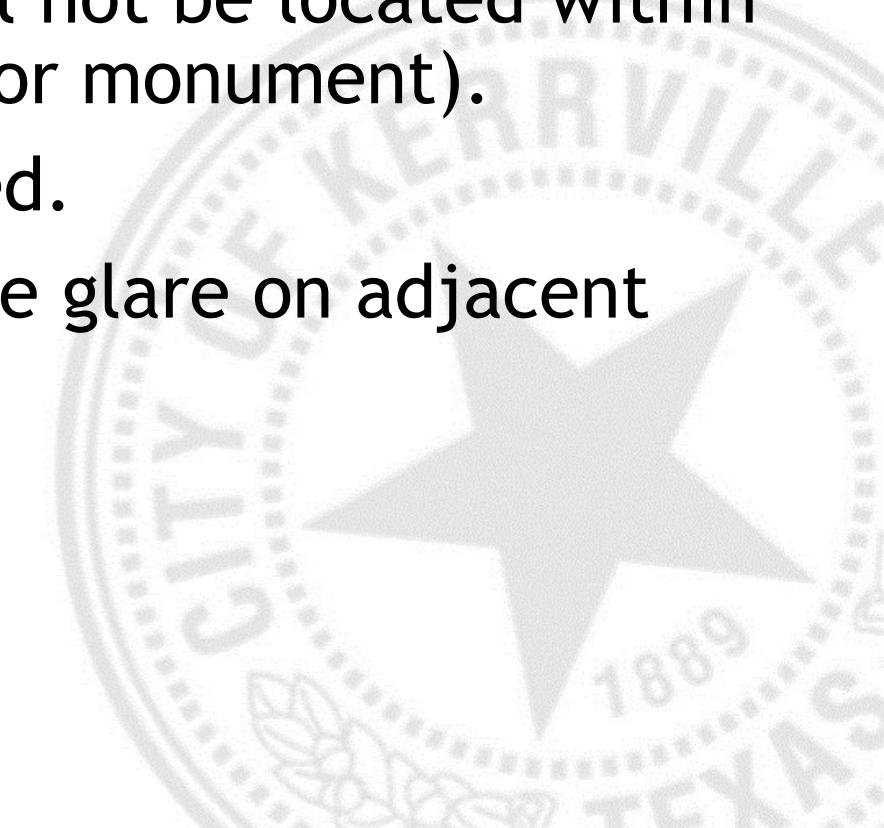
Recommended Code Update for RT Signs

- Signs may be free standing signs or monument signs.
- Free standing or monument signs shall be limited to 8 feet in height (from natural grade to top of structure).
- Free standing or monument signs shall be limited to 32 square feet in area.
- Electronic displays are shall comply with Section 92-9(5)(o.) for hours of operation within the Residential Transition.



Recommended Code Update for RT Signs

- Non-residential lots within the RT District shall be limited to one freestanding or one monument sign.
- Free standing or monument signs shall not be located within 25 feet of another sign (freestanding or monument).
- Signs may not be internally illuminated.
- External illumination shall not produce glare on adjacent roadways or adjacent properties.

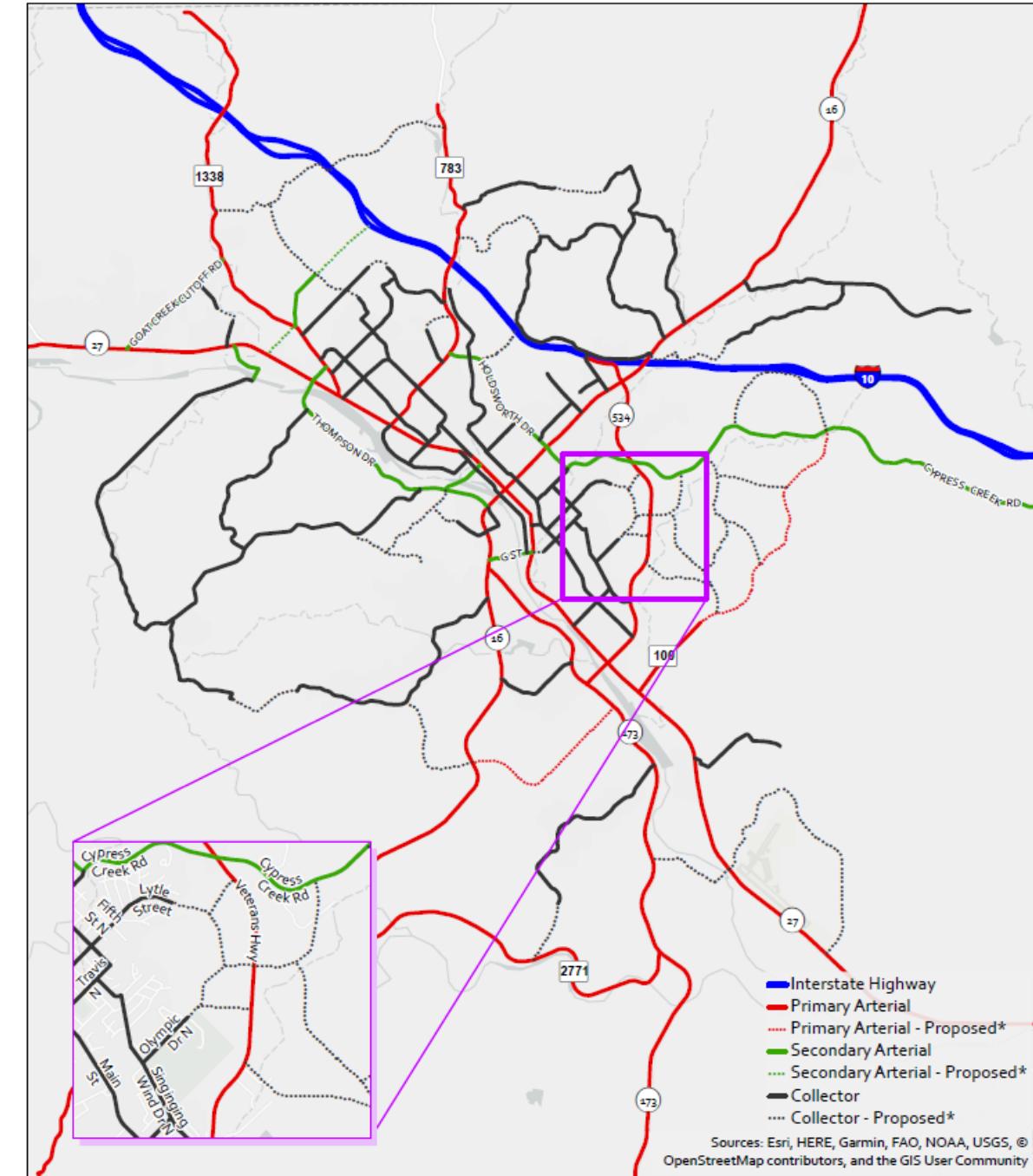
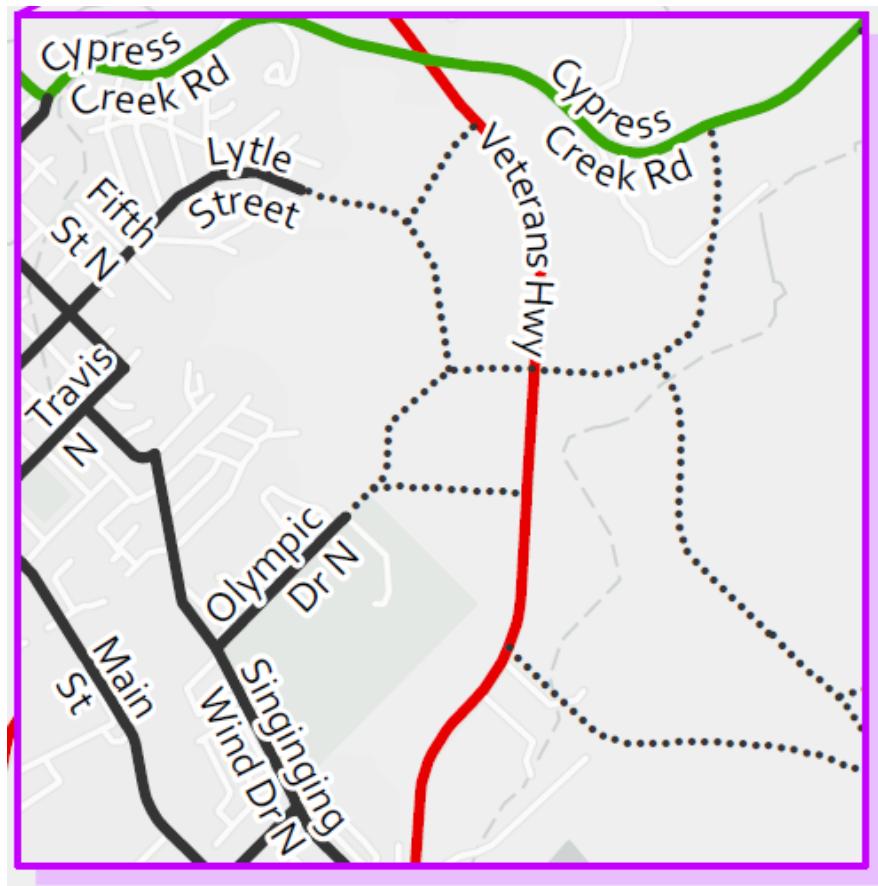




Thoroughfare Plan Updates

Thoroughfare Plan

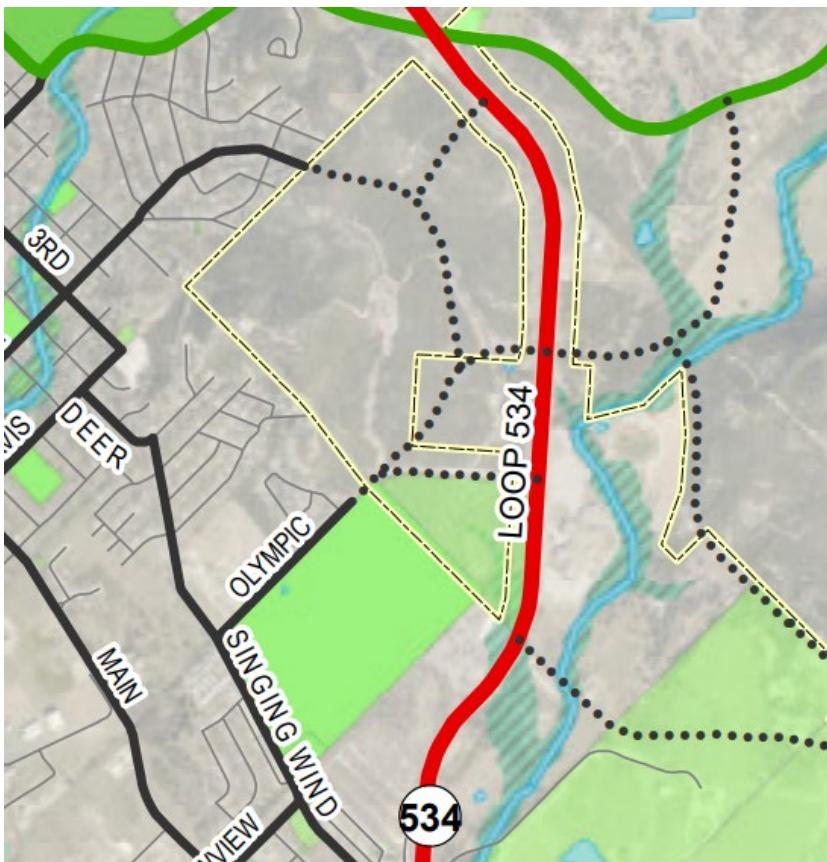
- KISD Middle School, Olympic Drive, collector connections



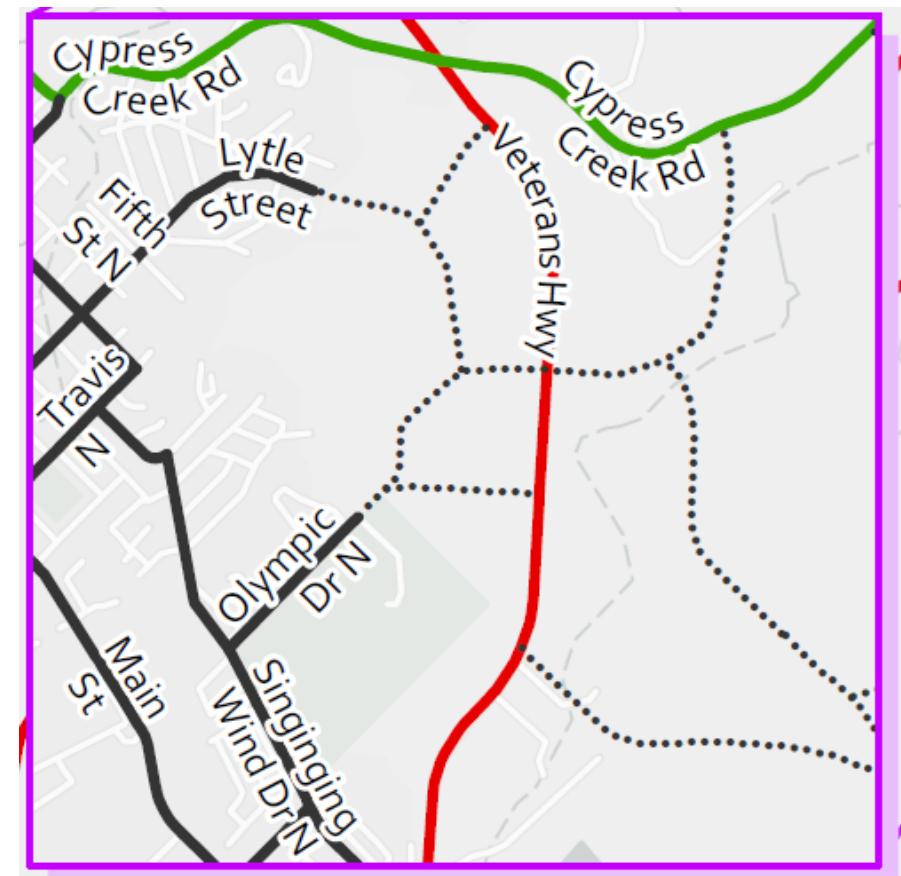
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Thoroughfare Plan

- KISD Middle School, Olympic Drive, collector connections



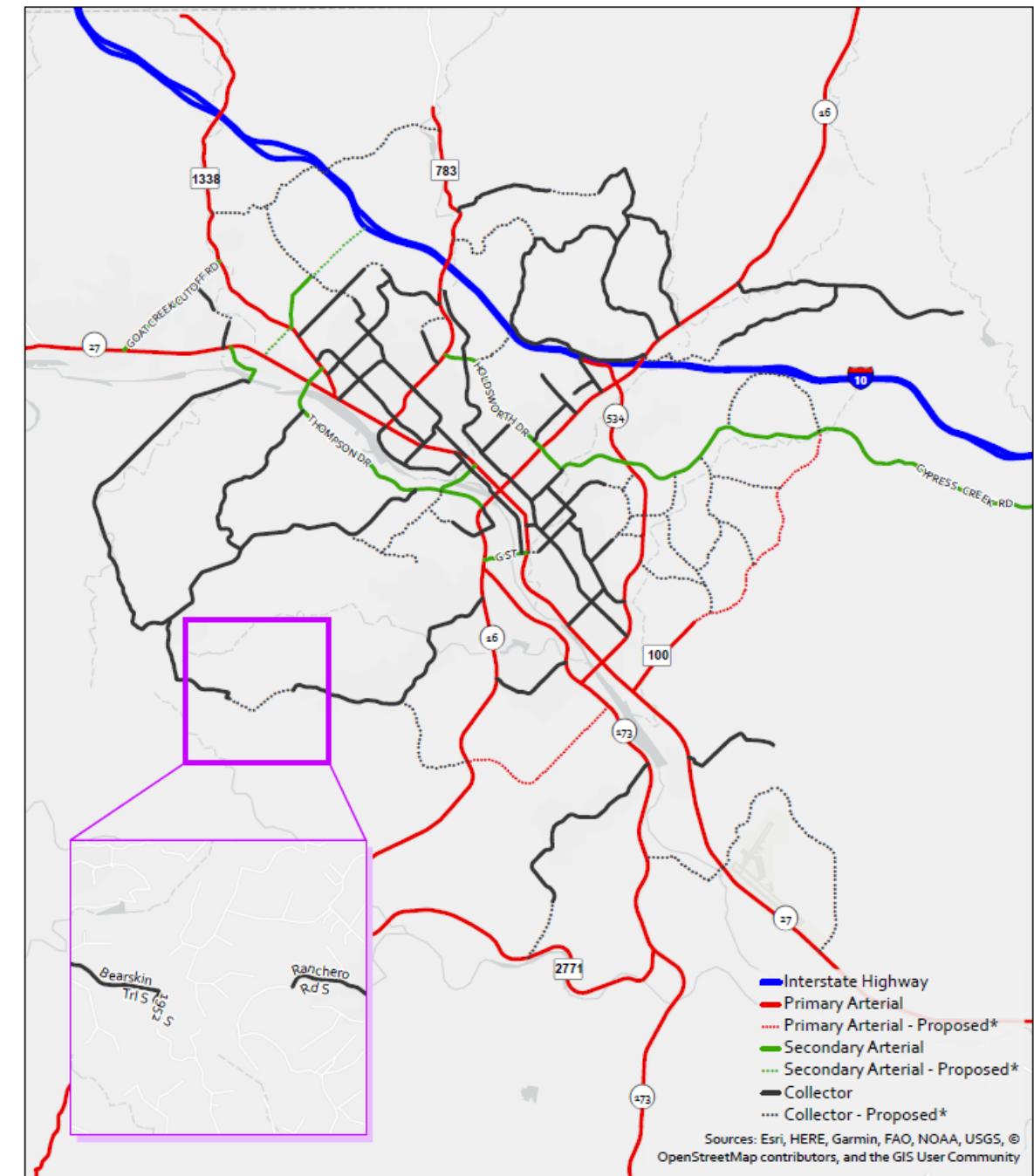
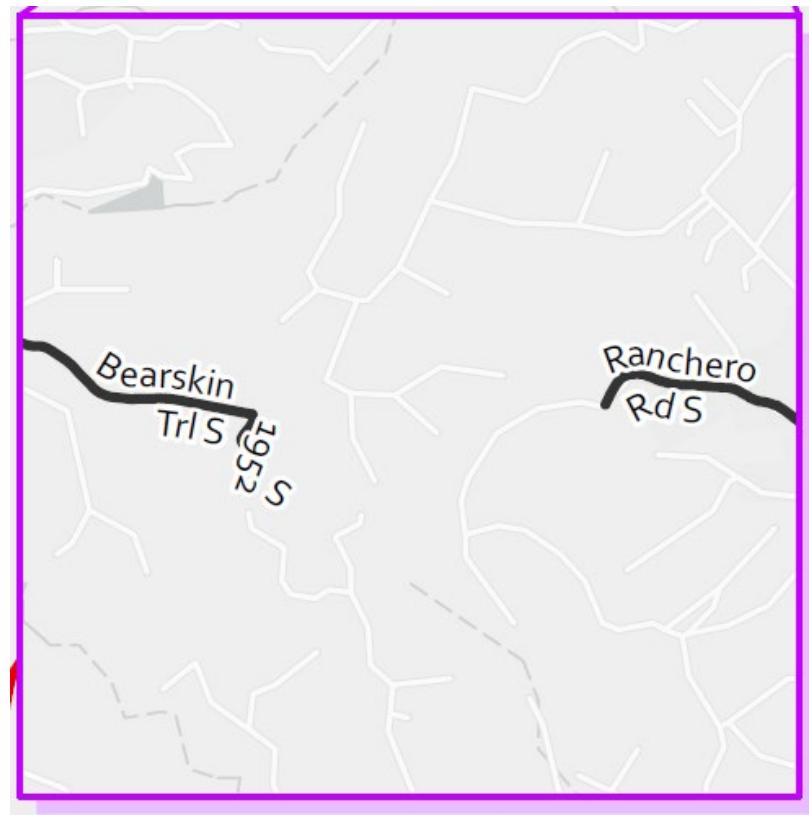
Before



After

Thoroughfare Plan

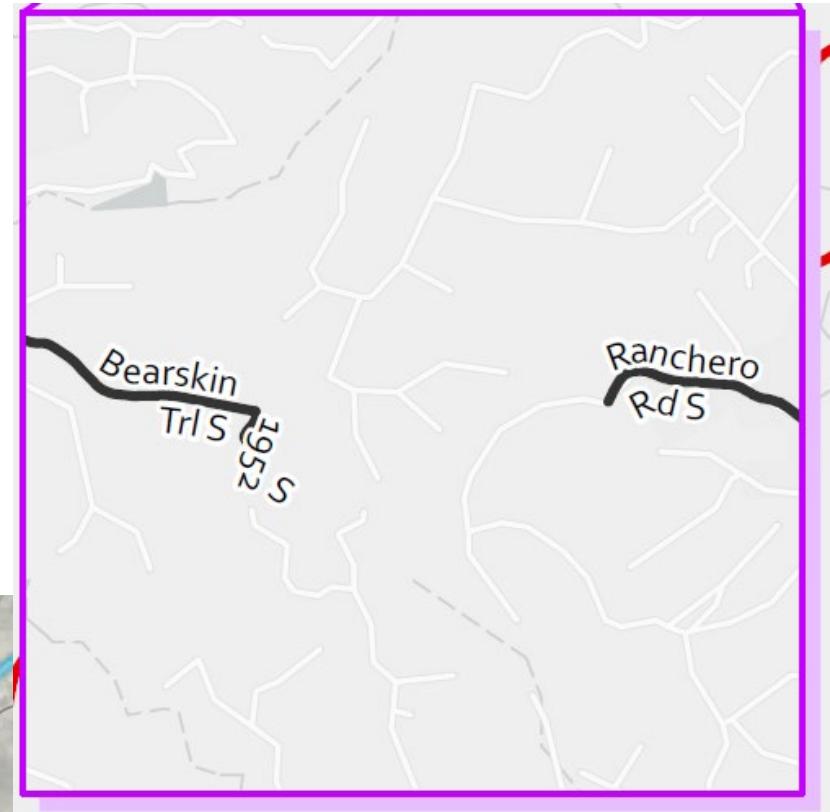
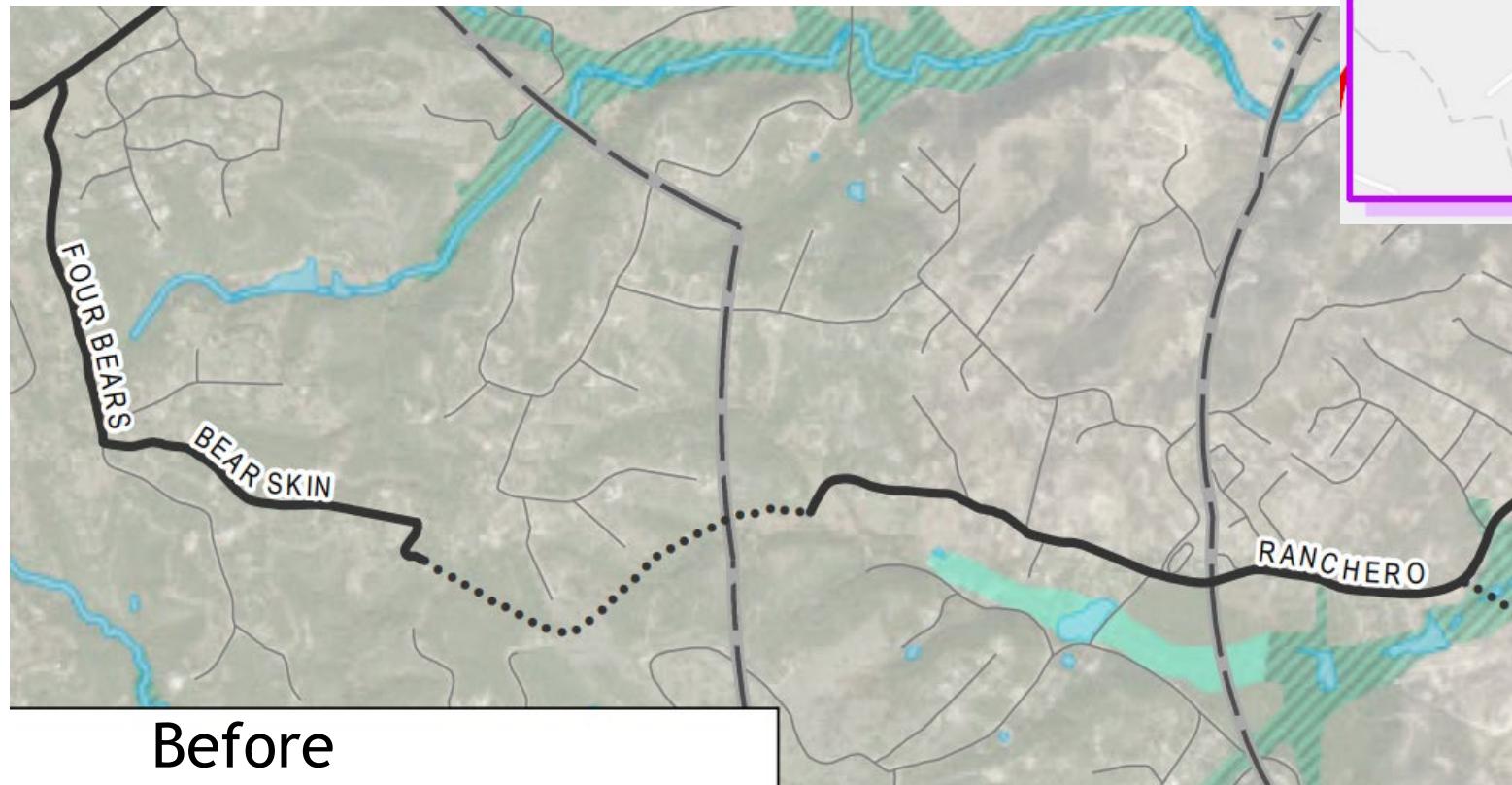
- The Horizon, Bear Paw Ranch, Kerrville South II connection



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.

Thoroughfare Plan

- The Horizon, Bear Paw Ranch, Kerrville South II connection





Questions?