



CITY OF KERRVILLE PLANNING & ZONING COMMISSION AGENDA
REGULAR MEETING, THURSDAY, APRIL 6, 2017 4:30 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

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.

3. PUBLIC HEARINGS AND ACTION

3A. **Public Hearing & Action, Replat** – Public hearing, consideration, and action concerning a request for a replat of Lots 1-4, Vista Hills, a subdivision in Kerr County, containing 9.87 Acres out of the Joseph Josey Survey No. 2, Abstract No. 1094, located at 285 Scenic Hills Road. (File No. 2017-016).

3B. **Public Hearing & Action, Zoning Text Amendment** – Public hearing, consideration, and action concerning a request for a zoning text amendment to amend Chapter I, "The City of Kerrville Zoning Code", 11-I-6 Central City Zoning District, to amend the land use table for the "CBD" Central Business District to change use code 312, "Beverage and Tobacco Product Manufacturing" from not permitted to a "P" Permitted Use. (File No. 2017-017).

4. ITEMS FOR DISCUSSION

4A. Review and discuss the City's "Home Occupation" definition, as defined in Article 11-1-3 (a)(49) of the zoning Code.

4B. Review and discuss the Kerrville Comprehensive Plan, "Link to the Future".

5. STAFF REPORTS

6. ADJOURNMENT

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 :March 31, 2017 at 12:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Cheryl Brown
Deputy City Secretary, City of Kerrville, Texas



City of Kerrville Planning Department Report

To: Planning & Zoning Commission
Agenda Item: 3A
Hearing Date: April 6, 2017
Representative: Staff
Location: 285 Scenic Hills Road
Legal Description: Lots 1-4, Vista Hills
Total Acreage: 9.87

Proposal

Replat of Lots 1-4, Vista Hills, A Kerr County Subdivision.

Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on March 22, 2017. Additionally, notice of this meeting was posted at city hall and on the city's internet website on March 31, 2017, in accordance with Section 551.043(a) of the Texas Local Government Code.

Recommended Action

Staff recommends that the Commission hold the required public hearing to receive public comments and take action on the proposal.

Staff Analysis and Recommendation: Approval

1. Requirements and Guidelines:

The replat meets all requirements of the City's Subdivision Ordinance and will be considered by Commissioner's Court, on April 24, 2017.



City of Kerrville Planning Department Report

To: Planning & Zoning Commission
Agenda Item: 3B
Hearing Date: April 6, 2017
Representative: Staff
Location: Central Business District
Legal Description: N/A
Total Acreage: N/A

Proposal

A zoning text amendment to amend Chapter I, "The City of Kerrville Zoning Code", 11-1-6 Central City Zoning District, to amend the land use table for the "CBD" Central Business District.

Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on March 22, 2017. Additionally, notice of this meeting was posted at city hall and on the city's internet website on March 31, 2017, in accordance with Section 551.043(a) of the Texas Local Government Code.

Recommended Action

Because the notice was published before staff could withdraw the request, staff recommends that the Commission open the public hearing to anyone in attendance regarding this item and receive public comment. Following, that staff requests that the Commission postpone further discussion until a later date.



City of Kerrville Planning Department Report

To: Planning & Zoning Commission
Agenda Item: 4A
Hearing Date: April 6, 2017
Representative: Staff

Discussion Item: Home Occupation

Home Occupations in Kerrville are currently administered and regulated by a definition in Article 11-1-3, Definitions and Interpretations of Words and Phases of the Zoning Code. The definition does not place any restrictions on the type of dwelling unit in which a home occupation can operate, single-family, duplex, apartment, etc., or restrict the use to any zoning district. It does not provide for any type of registration or monitoring and according to the City Attorney, it does not allow for the prosecution of violations, which make enforcement, without voluntary compliance, almost impossible.

If the City (commission) wishes to go forward with an ordinance amendment to define and regulate home occupations, it should understand that a home occupation is a use, land use, that permits commercial activities in the city's residential neighborhoods and the biggest issue the city (commission) will face is the degree of commercial activity to allow. How intense of a use will be allowed as a home occupation.

Home occupations are generally uses defined as being low-intensity and clearly incidental and secondary to the primary residential use of the property and that are conducted in a limited manner, which creates little exterior indication of the activity and does not create a nuisance or otherwise adversely impact adjacent properties or the residential character of the neighborhood. They are generally conducted within the residence or an accessory building on the same lot, generate little if any traffic to the neighborhood, do not involve on site sales or repairs (i.e. vehicle or appliance repairs), do not involve non-resident employees, do not create undue noise, odors, vibrations or electrical interference and does not advertise either on-site or off, the location and type of business conducted in the home.

In the definition of home occupation, Article 11-1-3 (3)(49) of the Zoning Code, see attached, the uses allowed as home occupations are generally those uses consistent with the uses listed in the 'Personal Services I' category, a list of those uses is also attached for your review. It does provide some compliance requirements, however, the City Attorney says they cannot be enforced.

If a Home Occupation section is developed, it can be added to Article 11-I-19, Supplemental Development Requirements of the Zoning Ordinance.