

# PLANNING & ZONING COMMISSION MEETING

Thursday, April 27, 2023 – 6:30 PM

## Meeting Minutes

### 1. CALL TO ORDER

Debbie Moore	Present
Carrie Caylor	Present
Cynthia Meyer	Present
Ishmael Harris	Present
Scott Long	Present
Judah Ross	Present
Kristi Koch	Present
David Barrow	Present
Patrice Parsons	Present

### 2. CITIZEN COMMENTS

No Citizen Comments

### 3. CONSENT AGENDA

- 3A. Consider action to approve meeting minutes from the March 30, 2023, Planning and Zoning Commission Regular Meeting
- 3B. Consider action to approve Bastrop Grove Section 3, Lots 9-19 Final Plat, being 18.265 acres out of the Nancy Blakey Survey, Abstract No. 98, located south of SH 71 and east of SH 304, within the city limits of Bastrop, Texas, as shown in Exhibit A.
- 3C. Consider action to approve Bastrop Grove, Section 5, Final Plat, being 25.865 acres out of the Nancy Blakey Survey, Abstract No. 98, located south of Agnes Street and east of State Highway 304, within the city limits of Bastrop, Texas, as shown in Exhibit A.

Carrie Caylor made a motion to approve the consent agenda. Patrice Parsons seconded the motion. The motion was carried unanimously.

### 4. ITEMS FOR INDIVIDUAL CONSIDERATION

4A Consider and act on amending SEC. 2.4.001 NONCONFORMING USES AND STRUCTURES - Continuing Lawful Use of Property & Existence of Structures item (4) No nonconforming use or Structure may be expanded, reoccupied with another nonconforming use, or increased as of the effective date of this Code, unless authorized by the ZBA by adding an administrative relief component for residents.

Legal Counsel, Rezzin Pullum, stated this item will have additional opportunity for the Commissioners to make changes. There will need to be a public hearing in P&Z, which will require 15 days notice. Commissioners will see in the next agenda packet an ordinance that will flesh out the recommendations as well as the feet for the pin drop as well as any other recommendations the Commissioners may have.

Staff asked the Commissioners what they would like to see with regard to this item. Commissioners asked how common is it that we have non-conforming properties that are trying to get approval? Staff stated there are requests for warrants to certain lot occupancy standards. As far as non-conforming continuing use, Staff stated they had one and when the non-conforming resident was presented with coming to P&Z to make their case, they chose not to.

Commissioners requested that whatever distance was decided for any non-conforming applications that it should be consistent across the board for citizens. Staff stated that a greater distance would require more notifications which would incur additional fees.

Commissioners asked if we assess enough fees to pay for public notices. Staff stated that fee recovery could be made through additional notification fees.

Commissioners asked how long it can take for a non-conforming structure? How long are they allowed before action can be taken? Staff stated it is currently 6 months, however, it could be longer.

Legal counsel, Rezzin Pullum, interjected regarding two considerations he needed to bring up that the Commissioners will be seeing in the ordinance for the next meeting.

1. Whether this applies to an accessory structure also and if the replacement is going above 50% of the actual value of the building.
2. How we look at routine repairs and non-structural alterations.

Staff asked Commissioners how long they thought the time should be for repairs. Commissioners recommended 12 months to allow repairs. Commissioners recommended adding to a non-conforming structure if they stay within 50% of the value of the property.

Commissioners recommended in the situation of loss due to damage that they would like to use square footage vs. appraised value.

Commissioners asked why the discussion was about the appraised value rather than the footprint. Staff stated that it was just the standard, however, that a change to the language could be made to reflect the footprint. Commissioners also stated this may apply to accessory structures and primary dwellings.

Commissioners asked regarding the administrative appeal - what will the guideline be for city staff? Staff stated it will be what the Commission decides and approves.

Commissioners asked how this affects the impervious cover issue? Staff stated this will be part of the next administrative process as we are going through the code.

Due to the necessary notification to the Public regarding this item, no vote was called on this agenda item.

Staff reminded the Commissioners of the previously approved amendments to the Code.

1. Fences
2. Glazing reduced from 60% to 20%
3. Lot of Record
4. Fees reduced for Non-Conforming items to \$500 from \$3,000.
5. Variance Fees reduced from \$3,681 to \$500.
6. Certificate of Appropriateness for the Iredell District is under a moratorium. The COA still applies to the Historic District.

Commissioners asked if the problem of permit applicants having to provide all their trade permits upfront had been corrected. Staff stated that the issue has been taken care of.

Commissioners asked if we going to be taking proposed amendments that came from the commercial sector to the private sector? Staff stated that we will be comparing the two sectors. It will go before the development group, then come to P&Z, and then go to the public. This process will be utilized for both Commercial and Residential. The process will start with the Residential and it will inform the Commercial process.

## **5. WORKSHOP**

- 5A. Workshop to discuss critical information related to the newly created Development Services Department.

Commissioners asked if the new inspectors would be in-house. Staff stated they would be in house with periodic use of 3<sup>rd</sup> party inspectors as needed to cover demand.

Staff shared that Development Services will become an Independent Fund and will generate it's own revenue and the fees that are covered in those costs already will stay within that fund and will therefore be a more solvent way to operate.

## **6. UPDATES**

- 6A. Update on recent City Council actions regarding Development Services Department Items
- 6B. Planning and Development Department Monthly Project Volume Report.
- 6C. Individual Requests from Planning & Zoning Commissioners for particular items to be listed on future agendas (no group discussion allowed).

Commissioners shared citizen concerns regarding Air B&B's, how many are allowed, what other cities are doing as well as coming up with a proposal for our city.

Commissioners would like an update on the Burleson Crossing project.

## **7. ADJOURNMENT**

Cynthia Meyer made a motion to adjourn the meeting at 7:53 PM. Judah Ross seconded the motion. The motion passed unanimously.