

Planning and Zoning Commission

May 25, 2023

Meeting Minutes

The City of Bastrop Planning and Zoning Commission met Thursday, May 25, 2023, at 6:44 p.m. in the Council Chambers located at 1311 Chestnut Street, Bastrop, Texas 78602.

1. CALL TO ORDER

Debbie Moore called the meeting to order at 6:44 p.m.

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

2. CITIZEN COMMENTS

Cynthia Meyer – 110 Briar Court – Expressed appreciation to current Commissioners and time spent together serving on Commission.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 3A. Consider action to approve meeting minutes from the April 27, 2023, Planning and Zoning Commission Regular Meeting

Ishmael Harris made a motion to approve the April 27, 2023, Planning and Zoning Commission meeting minutes. Carrie Caylor seconded the motion and the motion carried unanimously.

- 3B. Consider action to approve meeting minutes from the April 27, 2023, Impact Fee Advisory Committee Meeting Minutes.

Judah Ross made a motion to approve the April 27, 2023, Impact Fee Advisory Commission meeting minutes. Scott Long seconded the motion and the motion carried unanimously.

- 3C. Public hearing to 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 the ZBA by adding an administrative relief component for residents.

Trey Job presented to Commissioners the Public hearing to 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 the ZBA by adding an administrative relief component for residents.

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Staff presented the proposed changes as recommended by the Commissioners from the prior meeting showing:

Cannot stop the use for 18 months or longer if:

- Discontinuance of non-conforming upon an act (abandonment for example)
- They do not add more than 50% of structural alterations of the total appraised value as deemed by *Square Footage*
- Over 50% of the total *Square Footage* value is not lost due to damage.

Additional update was that notifications for changes to property zoning, etc., should change from 200 feet to 500 feet radius from the property in question.

Debbie Moore opened the Public Hearing for comments at 6:54 pm.

There were no citizens comments.

Debbie Moore closed the Public Hearing at 6:54 pm.

Discussion ensued between Commissioners and Staff regarding clarification of notification of radius of notifications.

Proposed changes were to have a 500-foot radius of notification from the property in question.

Carrie Caylor made a motion to approve with the changes discussed with 500-feet consistency for notice and radius and square footage being 50% of the structure. David Barrow seconded the motion. The motion carried with Seven (7) approvals and one (1) abstention.

4. WORKSHOP

4A. Presentation and workshop to discuss regulations for short-term rentals.

Sylvia Carrillo presented to the Commissioners the workshop to discuss regulations for short term rentals.

Discussion ensued between Commissioners and Staff regarding short term rental regulations.

1. Is there is a way to enforce code violations?
 - a. Staff stated it depends on what section the code violations fall under. Certain of the non-emergency type issues fall under the Police. There are other items, litter and animal control that fall under the PD Code Enforcement Officer.

Staff reminded Commissioners that we have very little ability to regulate short term rentals. We can run a search on all the sites and report to the State for those who are not registered.

2. Are short-term rentals not required to provide a registration to the City?
 - a. Staff stated it would be under very limited circumstances. We are required to treat short-term rentals as we would any single-family dwelling.
3. How do we identify the short-term rentals and ensure they are paying their taxes?

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- a. Staff stated that we will run searches on the Air B&B sites and the Travelocity site and complete a cross reference. This will be done regularly as this will be the only way to ensure they are registered with the State and paying their HOT Taxes.

- 4B. Discussion and workshop on an ordinance amending the Bastrop Building Block (B3) Code, Article 3.1 Place Type Zoning Districts, and Adding Article 3.4 Planned Development Districts, for the purpose of considering Planned Development Districts within the City of Bastrop.

Sylvia Carrillo presented the Discussion and workshop on an ordinance amending the Bastrop Building Block (B3) Code.

Discussion ensued between Commissioners and Staff regarding the ordinance to amend the B3 Code.

1. Is there was a minimum amount of space that a PDD takes up and what defines it?
 - a. Staff stated that there is not a size requirement, however, we would be hard-pressed to allow a single-family home to do a PDD.
2. Are there examples of current or past projects where the PDD might would have applied?
 - a. Staff stated the Movie Studio Project would was a good example for where a PDD would have been helpful.
 - b. Rezzin Pullum, Assistant City Attorney added Burleson Crossing would also have been a good project for a PDD due to the number of warrants and variances requested for the project.
3. Commissioners stated they would like to have more discussion and citizen comments before proceeding with the PDD.
4. Would the administrative approval keep it from coming before the Planning and Zoning Commission?
 - a. Staff stated that any administrative approval would still be presented to the Commissioners for their review and feedback and would still require notice within ~~int~~ the 200 or 500 ft area of the project.
5. Rezzin Pullum clarified to the Commissioners that any PDD will be based on an existing zoning district and would offer flexibility in meeting the intent of the Code.
6. Is it possible to have some developers come and speak with the Commission?
 - a. Staff confirmed that the developers could come and speak with Commissioners in a workshop round table type format.
7. Commissioner would like to know what issues the developers are experiencing that the Commission needs to consider when making decisions.

Staff provided a 1998 PDD Primer to the Commissioners and clarified that the PDD is not an overlay, it's an actual district.

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5. UPDATES

5A. Update on recent City Council actions regarding Development Services Department items.

Sylvia Carrillo presented to Commissioners the recent City Council actions on Planning Department items which included:

- Assistant Planning Director position was downgraded to a Senior Planner. An offer was made and accepted with a June 14th start date.
- Planner position has an offer made.
- There are vacancies for the Electrical Inspector and the Development Engineer.
- Holding off on filling the Director to allow the team time to become cohesive.
- Introduced new Building Official, James Cowey, new Development Technicians, PJ Collins and Alondra Macias, Process Improvement Manager, Kaye Sapikas. Reintroduced Development Technician, Melissa Gustafson.

There were 47 automated trade permits issued for Development Services, only 1 of the 47 permit was out of compliance.

There were no recent City Council actions regarding the Development Services Department items.

5B. Development Services Department Monthly Projects Volume Report.

Sylvia Carrillo presented to Commissioner the Building and Planning Department Monthly volume projects for April.

5C. Individual Requests from Planning & Zoning Commissioners that items to be listed on future agendas (no group discussion allowed).

Judah Ross requested continuing discussion on the Sign Ordinance and streamlining the process.

Carrie Caylor asked that we revisit the fee schedule for notification in 500 ft area. Sylvia stated it was being handled in the budget process.

Patrice Parsons requested a workshop with the Development community.

Sylvia Carrillo requested the Commission to meet every two weeks moving forward for the foreseeable future.

6. ADJOURNMENT

Scott Long made a motion to adjourn at 7:48 p.m. Ishmael Harris seconded the motion, and the motion carried unanimously.

Debbie Moore, Chair

Carrie Caylor, Vice-Chair