

Planning and Zoning Commission
City of Blanco
Minutes of the Meeting
June 7, 2021

Members: Susan Moore, Christine Anderson, Trey Priour, Mike Green, Loris Perkins, Neil Neyens

REGULAR MEETING

1. The meeting was called to order at 5:35 p.m.

2. A quorum was established.

Commissioners Moore, Anderson, Priour, Green, Perkins, and Neyens were present.

3. Discussion with City Attorney; Zoning training; Questions and Answers Session

City Attorney Brad Bullock has worked with the city in Land Use Matters for approximately 20 years. He has also worked in Land Use Litigation. He said Planning and Zoning Commissions' job is to make recommendations to the city. The parameters that govern on zoning is found in Chpt 211 Gov Code - zoning – Land Use and 211.004 Zoning Regulations and must be adopted in accordance with the Comprehensive Master Plan. Proper actions to enact or amend a zoning ordinance must be designed for a number of different things.

- (1) Lessen congestion of the streets.
- (2) Secure safety from fire and other dangers.
- (3) Promote Health, safety and general welfare.
- (4) Provide adequate light and air.
- (5) Prevent overcrowding of land.
- (6) Avoid undue concentration of population.
- (7) Facilitate the adequate provision of transportation, water, sewers, schools, parks and other public requirements.

Brief History of Zoning in Texas. Intersection of 1st amendment issues and land use/zoning issues.

Generally speaking, you cannot keep unwanted business' out.

Cannot restrict business' on basis of the messaging but can regulate to a permissible zone.

Must be compatible use to surrounding properties.

Spot zoning or contract zoning is illegal – Cannot make exception for a particular landowner for something in return. Must be a compatible use based on Land Use not who owns it or a specific business.

Transition Zone – Not high traffic/high noise, compatible with surrounding residential properties – This is not Spot Zoning.

Must keep zoning ordinances up to date. Should have zoning ordinances that stipulate adequate air and Light. Such as building footprint, height, setbacks, impervious cover, density, the facade of a building. Also, number of trees, parking lot pavement and drainage issues etc. A small number of ordinances with broad categories, without transition zones, will allow the big box stores to be treated the same as the mom-and-pop stores. Zoning ordinances must be in place before issue arises.

Texas Law - Counties cannot zone – 1) Very limited ability to regulate land use. 2) In 2019, passed legislation that cities can no longer involuntarily annex. This creates a problem for cities to specify land use in the ETJ.

Townhalls – Commissioner: Not trying to get the citizens to like the ideas we arrive at but just presenting ideas and trying to get feedback. Folks have stated they do not want zoning, but they also do not want big box stores; they do want charm and rural community, etc. How can we respond to them in laymen terms as you have been talking to us?

Answer:

The governing body has the ability to increase requirements such as set back/landscaping/tree size & preservation/ impervious cover/ drainage/ building masonry and esthetics. All these discourages strip center type of development because it creates increased cost of development. Signage is especially important to keep the rural/country look. Property owners are not prohibited from selling their property to whomever they choose, but zoning can regulate land uses that are not compatible with surrounding properties.

You must treat new businesses the same as local businesses. Zoning ordinances must be strong enough to restrict types of businesses allowed in zones. Any time you increase your regulations, there is always going to be push back, either from home builders or from members of the community. Impervious cover is particularly important to prevent flooding, poor drainage, hazard to citizens and helps to restrict businesses that require large parking areas.

Your zoning ordinance must be in place to limit drive-thru businesses to appropriate areas. One issue would be the impact of increasing congestion on streets close to single family homes or churches, etc.

Industrial Zone has a place. Some types of businesses are documented to have negative secondary affects. When you eliminate an entire class of land use that prohibits an entire type of business from coming in the city it creates an exposure to be challenged. Also, if they go just outside of the city limits, you have no regulatory authority and you lose your tax basis.

Affordable Housing. Those currently established are allowed by grandfather law. When use changes – grandfather law no longer applies. Do not assign a property right to a particular zoning category. City can apply esthetics regulations to buildings in specified zones. Continue as non-conforming use. Brad to send us a list of what and how they apply in different zones. If you want to keep the “Blanco Look”, you must address your sign standards. Keep ordinances up to date and enforce them.

Traffic Law. Blanco has traffic problems, but a lot of these problems are Tx Dot issues. Tx Dot controls all State Highway regulations. You must go through the process to request Tx Dot to address any State Highway issues. For the city to change speed limit or adopt traffic control devices you need to establish volume and useage and perform traffic studies, etc. In the case of dangerous intersection or turn lane, Tx Dot doesn't typically do anything until there has been one or more accidents. The city could require a new business to have a turn lane approved by Tx Dot as part of the business approval process. You can require a developer to pay for the impact their development has on the city if the requirement is not out of proportion of the impact.

Lumber Establishment/Lumber Yard.

Deal with this issue through storage regulations. Inside storage is retail. Outside storage regulations, volume/height/materials, under structures such as awnings, product cannot be visible from roadway. Outside storage regulations are designed to deal with bulk materials. (Bldg. Material/Stone/Lumber)

4. Announcements

Neil Neyens is our newest member on the commission, and we welcome you and look forward to working with you.

5. Public Comments

Speaker 1 – Would like to have pockets of more public places like the square. More density in some places will help people to have small town charm. Look at the square vs area by Stripes and down south on 281. The square is more walkable and more charming with more character. Our code today, if you want to build something new like the square it would be hard to do because of setbacks and other lot standards.

Speaker 2 - Proposed map has a lot of green which is where I find myself. Why? *(Trey-You are in R3 Zone) Good!*

Speaker 3 - What are you going to do about roads? Putting all those houses in will destroy the roads more. *(Susan-Regarding fixing roads and infrastructure, it is an ongoing problem your City Council is working to improve.)*

If you make sections high density; you have more traffic. *(Trey-It will also create a larger tax base to enable more road repairs)*
(Mike-We worked on the PDD. The development is responsible to develop those streets. We can require developers to do certain things and if they decline, we do not have to approve their applications.)

Speaker 4- I don't think my property should be changed from Agricultural to low density residential. Doesn't have city water and has been agricultural for many years. Still using as agricultural. The City needs more commercial business to get more tax revenue, just need to make sure you get the right businesses in here.

NEW BUSINESS

1. Approve the minutes of the May 3, 2021, Planning and Zoning Meeting.

Commissioner Perkins moved to approve the minutes and Commissioner Green 2nd the motion. The motion carried unanimously.

2. Consider, discuss, and take possible action on approval of New P&Z Commission.

Commissioner Anderson moved to approve members (Anderson/Priour/Perkins/Neyens/Moore) of the new P&Z Commission and commissioner Priour 2nd the motion. The motion carried unanimously and will be on the next City Council meeting agenda.

3. Consider, discuss, and take possible action on two new member applications.

Commissioner Neyens moved to approve Brandon Carlson for a seat on the commission and Commissioner Green 2nd the motion. The motion carried unanimously and will be on the next City Council meeting agenda.

Commissioner Perkins moved to approve Heinz Roesch for a seat on the commission and Commissioner Priour 2nd the motion. The motion carried unanimously and will be on the next City Council meeting agenda.

4. Consider, review and discuss citizens comments from the 6/5/21 Town Hall at Gen of the Hills.

Only had two written comments turned in from the 2nd Town Hall. (1) Stop with the variances. No Zero Lot Line housing-EVER. (2) A big problem is the potential of crowding too many homes into a small area. 3 per acre is barely okay and 2 per acre is keeping with the rural atmosphere.

5. Consider, discuss, and take possible action on Proposed 2021 Zoning Map.

Discussion on agricultural areas. Leave virtually the same as was presented on the 2014 map. Discuss the Industrial use zones. Leave the south end Industrial zone but change the north end Industrial zone to only the brewery. Make small area at north end of town, along Hwy 281 a commercial zone. Handle low-income housing through ordinances. Reduce the R3 (High Density) zone to stop at Mesquite Street. From there on back, change to R2 (Medium Density) Zone.

Let everyone consider the changes and review the complete map. Hold a Public Hearing for the Proposed Map on June 24, 2021. Then the commission can make final review and consider approving the map to send to City Council.

NO ACTION TAKEN

Adjourn.

The regular meeting adjourned at 9:09 pm

Submitted by Susan Moore, Chairman, Planning and Zoning Commission.