



City of Granite Shoals
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**MEETING MINUTES
FOR A REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
GRANITE SHOALS CITY HALL, 2ND FLOOR COUNCIL CHAMBER
2221 N. PHILLIPS RANCH ROAD
GRANITE SHOALS, TX 78654
TUESDAY, AUGUST 16, 2016
6:00 P.M.**

Call to Order by Chair Shannon Wilson at 6:00 PM.

Commissioners Present:

Shannon Wilson
Susie Hardy
Terry Scott
Paul Fletcher
Claudine Gonzales
Shawna Williams

Absent:

Steven Dooley

Staff present:

Ken Nickel, City Manager
Preston Williams, Sr. Code Compliance Officer
Elaine Simpson, City Secretary - recording ---

The numbering below tracks that of the agenda, whereas the actual order of consideration may have varied.

Public comment and announcements / City Staff Announcements/Items of Public Interest

At this time, any person with business before the Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called. Anyone wishing to speak under this agenda item must complete a Comment Card and submit to the Chair or the Secretary, prior to addressing the Commission.

Mr. Jim Davant, 310 S. Shorewood, Granite Shoals, TX: He noted that there are some 'main ideas' to keep in mind that may make it easier to consider this Fencing Ordinance item:

- a.) Deer can jump over a six foot fence.
- b.) Remember it is easy to look/compare/adapt the Fence Ordinances from other cities, we do not have to re-invent the wheel.
- c.) Recommend that Commissioners and Council Members consider the benefits of requiring a 'fence permit'. These permits cost about \$26.00 in my research (San Antonio/Sunrise Beach).
- d.) Is this time and effort really warranted for one fence?

APPROVAL OF MINUTES

- 1) Review and consider approval of the minutes from the Planning and Zoning Commission Regular Meeting of July 19, 2016.

Commissioner Fletcher motioned, and Commissioner Williams seconded, to approve, as presented, the meeting minutes from the P&Z meeting of July 19, 2016. Motion carried with a unanimous vote of 6-0.

REGULAR AGENDA ITEMS:

- 2) Review information from City Council related to proposed modification to the Zoning Ordinance, Chapter 40, related to Fencing in residential zones.
(At their July 19, 2016 meeting, the Planning and Zoning Commissioners made some recommendations to forward to the City Council related to Fencing for the R-1 Single Family Residential District. City Council responded with six items of concern/questions. The Commissioners will review information from Council Members and consider making another recommendation.)

Vice Chair Hardy and City Manager Nickel updated the Commissioners on the Council discussion of the Fence Ordinance held July 26, 2016. The City Council members forwarded six areas of interest/concern back to the Commissioners about the proposed Fence Ordinance modifications from July 19th.

The Commissioners reviewed the comments and the items of concern from Council. Many of these concerns dealt with density of fencing (safety considerations) and building materials.

The Commissioners discussed the pros and cons of recommending a Fence Permit requirement. This would not have to be expensive, and it would allow the property owner to review the requirements of the Fence Ordinance when they purchased their permit. It would also allow the city to know about fences before they were built.

There were some discussions of the pros and cons of privacy fencing in the front yard.

There was a discussion of the fact that the city fence ordinances for the City of Burnet and the City of Cedar Park do not differentiate between 'Exterior' fence and 'Interior' fence. The Commissioners reconsidered their recommendation of setting two definitions. With two definitions, there will always be the possibility that a property owner will not put a fence on the

perimeter/property line, but a few inches off the property line, in order to classify the fence as an 'Interior Fence'. This would be likely if the requirements for the perimeter fencing were stricter and required materials of higher quality. One Commissioner noted that as written, the 'Interior Fencing' needs only 'to be of new and good quality materials', and this could be new, good quality tin, or t-posts, or rolled wire. These items are the type of 'agricultural' materials that previously the city prohibited because it was not in keeping with the character of property in a city limits.

There was a short discussion of asking the City Attorney for guidance.

After much debate, the Commissioners agreed without objection:

- 1.) To recommend that there be one set of regulations for Fencing. No Interior and Exterior.
- 2.) That the Commissioners would recommend to City Council that a Fence Permit requirement be added, in order to provide an opportunity for communication with a property owner when they are planning a fence.
- 3.) There should be no more than 50% density in the front yard for fencing.
- 4.) The previous version of the Fence Height recommendation (from July 19, 2016) reflects the height requirements that the Commissioners wish to recommend.
- 5.) There shall be an effective date, in order that there are no "Non-Conforming" fence issues.
- 6.) The section of the July 19, 2016 Commissioners recommendation that dealt with 'Sec. 3, Interior Fencing' should be struck out.
- 7.) The Commissioners would recommend to City Council that if a property owner wishes to deviate from the height, density, materials, or any other restrictions of 40.6 (p), they shall be able to apply for a Conditional Use Permit, and make their case to the P&Z Commissioners and the City Council for exceptions to the ordinance. This would accommodate the property owner who plans to use materials that are not common, and are not on the approved materials list. It would also provide an avenue for a property owner wishing to build a 'Deer Proof Fence' taller than six feet.

August 16, 2016 version:

This would change Zoning Ordinance 40.6 (p) to read:

Fencing. Fences may be located directly on the property/lot lines. A fence permit is required before the construction of any fence. The fence permit fee shall be found in the General Fee Schedule in the City Code of Ordinances.

As of the date of the Ordinance

(1) Fence materials. All fences shall be constructed with new and of good quality materials. Allowable materials are milled wood, split-rails, masonry, rock, stone, chain link and/or wrought iron.

a. Chain link fences are required to have a top rail, bottom guide wire and traditional chain link fence hardware.

b. Cinder block shall not be considered a masonry product.

c. Except as provided in subsection (p)(1)d., agriculture fence materials such as pipe, drill stem, T-Post, rolled wire fence, stranded wire, barbed wire, cow panel, corral panel, non-milled cedar posts, and all other types of agriculture fencing shall not be allowed in any residential district.

d. Sheets of galvanized welded wire panels of 20 feet or less, framed in wood, metal or masonry are allowed.

(2) Fence height.

- a. *Front yard lot line maximum height six feet. Front yard fencing on property line must have no more than 50 percent density. If set back 10' from the front lot line, fence may have greater than 50 percent density (i.e. solid).*
- b. *Side yard lot lines may maintain six feet maximum height. On each side for first 10 feet back from the front yard lot line, the fence must be no greater than 50 percent density.*
- c. *Rear yard lot line maximum height six feet.*
- d. *All posts, pillars, columns, arches, decorative tops, lights, and gates shall not exceed allowed fence heights by greater than 12 inches (one foot).*
- e. *For through lots (street to street), each parallel side of the lot facing a street shall be subject to the same fence height and setback restrictions that apply to a front yard.*
- f. *For corner lots, each side facing a street shall be subject to the same fence height and setback restrictions that apply to a front yard.*

(3) Deviations from Fencing Regulations: A citizen desiring to secure a fence permit for a fence that deviates in any way from these restrictions, must be granted a Conditional Use Permit from City Council approving the exception(s), before a fence permit may be granted. The fee for a Conditional Use Permit shall be found in the General Fee Schedule of the Granite Shoals City Code of Ordinances.

The Commissioners did not take formal action on this item, and will return to it at their September 20th meeting.

3) Continue to review and discuss the Granite Shoals Zoning Ordinance, as supplemented. *(The P&Z Commissioners have been reviewing the entire Zoning Ordinance, which is Chapter 40 in the City Code. At their meeting on June 18, 2015, the Commissioners reviewed sections 40.8 through 40.11, at their July 16th meeting they reviewed Section 40.12 General Business District GB-1 through Section 40.14 Industrial District item d. #9. At their August 20, 2015 meeting, the Commissioners resumed reviewing Industrial District and reviewed through 40.17 Height and area restrictions, generally. September 17th, the Commissioners discussed regulations of non-conforming structures, Administration, the Board of Adjustments and also driveways. At their meetings October 15th and November 19th, and January 21th, the Commissioners reviewed parking and Drive-ways section again. February 18th the Commission reviewed the Ordinance related to signs, boat docks and Vacation Home Rentals. On March 17, 2016 the Commissioners reviewed requirements for annual inspection of Vacation Home Rentals. In April, May and June commissioners did not review the Ordinance due to time constraints. During their July meeting, the commissioners proposed that no modifications be recommended to City Council regarding the Planned Development Zoning District. Commissioners requested that city staff prepare an updated version of the proposed 'Zoning Use Summary Table' as composed by City Attorney Brad Young. This Summary Table is designed to be placed at the back of the Zoning Ordinance as an attachment in order to provide more streamlined information about permitted uses. Tonight, the commissioners will review this Table document, review a 'Red-Line' version of the Zoning Ordinance with proposed modifications to date, and consider possible methods to improve and 'streamline' the Zoning Chapter incorporating 'General Compliance Section for Residential Districts'.)*

The Commissioners were not able to address this item due to time constraints. It will be on the next Commission agenda.

4) Identify future agenda items:

- September P&Z Meeting, Public Hearing to be held related to recommendations received from Streets and Water Advisory Group (SWAG) about the City Comprehensive Plan, **Transportation Plan** proposed amendments.
- Hold a Public Hearing, Discuss, Consider and possibly take action upon request from Don Sherman, on behalf of Kyle West, property owner at 905 N.

Castlehills Drive, for a re-plat of several lots in Mystic Castle section of Sherwood Shores subdivision, to cure existing encroachments across lot lines and easements.

5) Adjourn.

With no other items on the agenda, and no objections from the Commissioners, Chair Wilson adjourned the meeting at 7:56 PM.

The next meeting of the P&Z will be held on September 20, 2016.

I, Shannon Wilson Chair of the Planning and Zoning Commission for the City of Granite Shoals, Texas, certify that the attached are true and correct minutes taken from recordings and notes of the Planning and Zoning Commission Regular meeting held on August 16, 2016.

Shannon Wilson date September 20, 2016