

**MINUTES**  
**SPECIAL CALLED PLANNING AND ZONING COMMISSION MEETING**  
**BOERNE POLICE AND MUNICIPAL COURT COMPLEX, 124 OLD SAN ANTONIO ROAD**  
**Wednesday, July 10, 2019 – 6:00 p.m.**

Minutes of the Special Called Planning and Zoning Commission meeting of July 10, 2019

Present: Joe Anzollitto, Cal Chapman (temp Chair), Paula Hayward, Bob Cates, Chesney Dunning

Members Absent: Patrick Cohoon, Joe Davis, Kyle Kana, Bill Bird

Staff Present: Laura Talley, Nick Colonna, Stephanie Kranich, Barrett Squires

Registered/

Recognized Guests: Lance Kyle, Denise Dever, William Dever, Ben Eldredge, Carissa Cox

1. CALL TO ORDER – 6:00 PM

Vice Chairman Chapman called the Planning and Zoning Commission meeting to order at 6:00 P.M.

Pledge of Allegiance to the United States Flag

Pledge of Allegiance to the Texas Flag

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

2. CONFLICTS OF INTEREST

There were none.

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the Planning and Zoning Commission on any issue. The Planning and Zoning Commission may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

Mr. Lance Kyle, 226 Cascade Caverns Road, spoke regarding the Cascade Caverns cave area and the caves of central Texas specifically within Kendall County.

## 4. ITEMS FOR DISCUSSION

- a. [2019-763](#)
- a. Unified Development Code:
    - Status Update
    - Zoning Chapter Draft Overview, Review and Discussion

Mr. Nick Colonna briefed the Commission regarding the overview of accomplishments and what has been completed up to this point regarding the updates to the Unified Development Code. The Steering Committee has been meeting monthly to review and discuss the project.

Ms. Carissa Cox, Mosaic consultant, assisting with the ordinance revisions spoke regarding the previous meetings that has occurred with the steering committee and went over future scheduled meetings. Ms. Cox explained the layout and design of the sections and chapters. The overlay district which includes design requirements, will be in its own section with the UDC. The overlay section will be detailed in how to correctly enforce and customize design regulations. Ms. Cox explained the zoning chapter includes uses and dimensions. There will be revisions made to the zoning map once all zoning codes are adopted. There has been an added category for items that are brought in and placed on hold until requirements have been submitted to continue the process. The regulations for nonconformities will be included with the zoning chapter. Permitted use category within the zoning chapter will include the Use Restrictions, Accessory Uses (these will include Churches as there are many uses that are included within the use of Church) and Special Use Permits. Parking will be addressed within another chapter of the UDC. Ms. Cox addressed questions regarding the issues with Agricultural zoning and it being limited to outside the city limits, and suggested the agricultural expression does need to be citywide however there needs to be a preservation between neighbors to not cross over to other other properties. There was another question which addressed the Bed & Breakfast uses and not including house sharing within those requirements. Ms. Cox spoke regarding the differences between live/work structure that equals a mixed-use structure which includes employees and multiple offices with possible customers verses having a home with only the home owner with a home office as a home

occupation which does not equate to a live/work structure. Residential Zoning categories were revised and cleaned up and lot types have been revised, and for each category there will be lot dimensional requirements.

Mr. Nick Colonna briefed the Commission regarding the overview of accomplishments and what has been completed up to this point regarding the updates to the Unified Development Code. The Steering Committee has been meeting monthly to review and discuss the project.

Ms. Carissa Cox, Mosaic consultant, assisting with the ordinance revisions spoke regarding the previous meetings that have occurred with the steering committee and went over future scheduled meetings. Ms. Cox explained the layout and design of the sections and chapters of the zoning code which will include uses and dimensions. Overlay districts are geographic areas that are sensitive to the community and can include impervious cover regulations. Overlay districts are certain area of the City where there are additional regulations, so no matter what the zoning category is there are still additional regulations specific to that area. The overlay district which includes design requirements, will be in its own section with the UDC. The overlay section will be detailed in how to correctly enforce and customize design regulations. The current overlay districts will include stricter regulation and additional overlay districts will be created. Ms. Cox explained the zoning chapter includes uses and dimensions. There will revisions made to the zoning map once all zoning codes are adopted. There has been an added category for items that are brought in and placed on hold until requirements have been made to continue the process. The regulations for nonconformities will be included with the zoning chapter. Permitted use category within the zoning chapter will include the Use Restrictions, Accessory Uses (these will include Churches as there are many uses that are included within the use of Church) and Special Use Permits. Parking will be addressed within another chapter of the UDC. Ms. Cox addressed questions regarding the issues with Agricultural zoning and it only being limited to outside the city limits, and suggested the agricultural expression does need to be citywide however there needs to be a

preservation between neighbors to not cross over to other properties. There was another question which addressed Bed & Breakfast uses and not including house sharing within those requirements for additional tax purposes. Ms. Cox spoke regarding the differences between a live/work structure that equals a mixed-use structure which includes employees and offices with possible customers verses having a home with only the home owner and their home office does not equate to a live/work structure. Residential zoning categories were revised and cleaned up and lot types have been revised, each category will state lot dimensional requirements. When there is a development that consists of a variety of mixed-uses than you have to design a base zoning for the uses for providing a base of specific zoning. An example would be a retail development that consists of mixed-use pods and broken into zoning sections with a set base zoning. There will be exceptions built in which will include Flexible Zoning, Variances and SUPs. The Flexible Zoning will replace base zoning and deals with net density. Variances will be based on demonstrated hardship. SUPs are for use ID's in the master use table and have additional requirements and will ensure compatibility with master plan and neighboring properties. Major changes will include the new category of Bungalow Court. Ms. Cox explained Cottage Houses and bungalow courts will be placed into separate categories. Cottage houses will be based on lot size. Bungalow Courts differ due to setback requirements based on entire lot size. Nonresidential Zoning Categories will have new categories added to allow for a clearer list of possible uses for commercial zonings. Review of the Use Tables did include a section of commercial antennas.

5. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF - No discussion or action may take place

There were none.

6. ADJOURNMENT

Vice Chairman Chapman adjourned the Planning and Zoning Commission meeting at 8:50 P.M.

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P&Z Chairman

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P&Z Secretary

Rollcall

Rollcall

- Present**      5 - Commissioner Paula Hayward, Vice Chair Cal Chapman,  
Commissioner Chesney Dunning, Commissioner Bob Cates, and  
Commissioner Joe Anzollitto
- Absent**        2 - Commissioner Patrick Cohoon, and Chairman Joe Davis