

## CITY OF HORSESHOE BAY

### PLANNING AND ZONING COMMISSION NOTICE OF REGULAR PUBLIC MEETING

May 7, 2019

Notice is hereby given to all interested members of the public that the Horseshoe Bay Planning and Zoning Commission will hold a Regular Public Meeting on Tuesday, May 7, 2019 in the City Council Chambers at City Hall, #1 Community Drive, Horseshoe Bay, Llano County, Texas. The Regular Public Meeting will begin at 3:00 p.m. The agenda for the Regular Public Meeting is to discuss and/or act on the following:

1. Call the Meeting to Order and Establish a Quorum
2. Public Comments (Those who wish to speak are asked to limit their comments to three minutes)
3. Approval of Minutes of the March 5, 2019 Regular Meeting
4. Workshop
  - a. Review, discussion and possible action on recommendation to the City Council regarding a Ordinance 2019-\_\_: Amending Chapter 14 Zoning, Article 14.02 Zoning Ordinance, Section 14.02.406 in Zone 4A Horseshoe Bay Proper; Adding MU-1 Mixed-Use as a new Zoning Classification;
  - b. Ordinance 2019-\_\_: Updating Definitions to Accommodate Park-Model Homes; and adding Park Model Homes as a Permitted use in the M-1 Mobile Home classification in Zone 4B Horseshoe Bay South
5. Adjournment

  
Eric W. Winter, Development Services Dir.

The Planning and Zoning Commission may go into closed session, if necessary and appropriate, pursuant to the applicable section of the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapter D, on any matter that may come before the Commission that is listed on the Agenda and for which a closed session is authorized. No final action, decision, or vote will be taken by the Commission on any subject or matter while in closed session. Any action, decision or vote will be taken by the Commission only in open meeting.

**CITY OF HORSESHOE BAY****PLANNING AND ZONING COMMISSION  
MINUTES OF REGULAR MEETING**

March 5, 2019

The Planning and Zoning Commission of the City of Horseshoe Bay held a Regular Meeting in the Council Chambers at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on March 5, 2019, in accordance with the duly posted notice of said meeting.

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

**1. Call the Meeting to Order and Establish a Quorum:**

Chairman Neil Andrew called the meeting to order at 3:00 p.m. with a quorum of Commission Members as follows:

*Present*

Chairman Neil Andrew

Vice-Chairman Pat Bouchard

Commission Member Brent Lane

Commission Member Mark Hazelwood

Commission Member Edwin 'Scooter' Lofton

**2. Public Comments (Those who wish to speak are asked to limit their comments to three minutes):**

Mayor Steve Jordan, Council Member Reagan Lambert, Mike Thus, and Sandra Moravitz were present but did not choose to speak.

**3. Approval of Minutes of the February 5, 2019 Regular Meeting**

Scooter Lofton clarified that he was in attendance for the October 30 Regular Meeting. Scooter Lofton made a motion to approve the February 5, 2019 meeting minutes, seconded by Mark Hazelwood. The motion passed unanimously (5-0).

**4. Distribution of 2019 P&Z Meeting Schedule**

Mark Hazelwood wanted to verify proposed and approved copies were the same. The approved 2019 Meeting Schedule was distributed to Commission Members.

**5. Review, discussion and possible action on recommendation to the City Council regarding a Zoning Ordinance text amendment to increase the minimum unit sizes for multi-family units in all Zones with R-4 and R-6 Multi-family classifications:**

Development Services Director Eric Winter reviewed a draft Ordinance outlining a proposed zoning amendment to allow 20% of units in multi-family buildings to have a minimum size of 750 square feet, while 80% of units would need to be a minimum size of 1,500 sq. ft. in R-4 and 1,200 sq. ft in R-6.

Mark Hazelwood made a motion to approve the Ordinance as written, seconded by Scooter Lofton. The motion passed unanimously (5-0).

**6. Review, discussion and possible action on recommendation to the City Council regarding a Zoning Ordinance text amendment to clean up inconsistencies in the Zoning Ordinance:**

Eric Winter reviewed a draft ordinance outlining corrections for several inconsistencies in the Zoning Ordinance that staff and the Commission had discussed since September 2017.

Scooter Lofton made a motion to approve to approve the ordinance as written, seconded by Brent Lane. The motion passed unanimously (5-0).

**7. Possible items for 2019 P&Z Work Program**

Eric Winter mentioned updating the Zoning Ordinance to reflect new zones from the Future Land use Map (FLUM) including Mixed-Use and Park-Model Homes. The timeframe he gave for completion was within 6 months.

Eric updated to Commission on the continuing work to clean up Horseshoe Bay South including the many dump sites discovered and remediated by Code Enforcement Officer Ray Garcia. Scooter Lofton inquired whether it was possible to restrict all new construction on M1-Mobile Home lots to Park-Model in the future. Eric said that mobile homes would have to be not allowed, which would require an amendment of the CC&Rs.

Mayor Stephen Jordan talked about the forthcoming revisit of the Long-Range Comprehensive Plan and establishment of a Committee to oversee the initiative.

**8. Adjournment**

Scooter Lofton made a motion to adjourn the meeting, seconded by Mark Hazelwood. The meeting was adjourned at 3:36 p.m.

APPROVED this 7<sup>th</sup> day of May 2019.

**CITY OF HORSESHOE BAY, TEXAS**

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**Neil Andrew, Chairman**

**ATTEST:**

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**Eric W. Winter, Development Services Director**



# CITY OF HORSESHOE BAY

MAY 7, 2019

**To:** Planning and Zoning Commission

**Thru:** Eric W. Winter, Development Services Director

**From:** David Aldridge III, Assistant Planner

**RE:**

- a. Review, discussion and possible action on recommendation to the City Council regarding a Ordinance 2019-\_\_: Amending Chapter 14 Zoning, Article 14.02 Zoning Ordinance, Section 14.02.406 in Zone 4A Horseshoe Bay Proper; Adding MU-1 Mixed-Use as a new Zoning Classification;
- b. Ordinance 2019-\_\_: Updating Definitions to Accommodate Park-Model Homes; and adding Park Model Homes as a Permitted use in the M-1 Mobile Home classification in Zone 4B Horseshoe Bay South

The Future Land Use Map (FLUM) was approved by City Council on November 13, 2018. The map was crafted in accordance with the Long-Range Comprehensive Plan and is intended to be the guide for land use decision making going forward. For the most part, the uses outlined in the FLUM are satisfactorily expressed in the official Zoning Map and Code of Ordinances as they stand. However, there are some designations that are not seamless fits, being specifically, Mixed-Use and Park-Model Homes.

## Mixed-Use

Mixed-Use generally describes an area with a mixture of residential and commercial uses that would traditionally have been seen as incompatible. This departure from stricter Euclidian Zoning allows people to meet multiple needs within smaller geographic areas (i.e. live, work, and play).

Staff conducted research on how other cities in the region and beyond handle mixed-use zoning. Horseshoe Bay's zoning is somewhat unique in nature, and Ordinances from other cities do not always translate to our Code. Staff found that it was commonplace for municipalities to not deviate from the use-specific bulk and height regulations in related zones when it came to mixed-use.

One potential approach that Horseshoe Bay could borrow from other cities is to divide mixed-use areas into two types: one for high intensity uses, and one for lower intensity uses. This perfectly fits the thinking behind the mixed-use areas on the FLUM, whereby intense uses that attract external traffic will be situated along HWY 71, and the FM 2147 internal corridor proximate to the Resort can remain similar to its current state. Additionally, the C-3 Commercial zoning designation is so congruent with the vision of a high intensity mixed-use corridor (allowing for hotels, hospitals, multifamily, etc.) that it is unnecessary to create an additional designation for the area along HWY 71. There may be a reason to create a new classification for the area around Horseshoe Bay Blvd to offer flexibility in a section that is mixed-use on the FLUM and already embodies the spirit of the term.

**Staff is not aware of any objections to the ordinance and recommends approval**

**Park Model Homes**

**Park-Model Homes are mobile homes that are typically between 400 and 500 square feet and are built on a single chassis mounted on wheels. Unlike HUD manufactured homes, Park Models are considered recreational vehicles. Parking restrictions appear to be the primary method of enforcement. Currently, recreational vehicles are prohibited for occupancy except where stated otherwise. The second attached Ordinance proposes to:**

- **Add a definition for Park Model Home;**
- **Add Park-Model Homes as a separate definition;**
- **Change occupancy restriction under “Standards Applicable to All Property in all Zones” to exempt Park-Model Homes;**
- **Add Park Model Home as a permitted use in the M-1 Mobile Home Zone in Horseshoe Bay South
  - **Optional: Consider Park Models as a Conditional Use requiring a CUP to manage unintended consequences;****
- **Add a derivative of the parking regulations for Recreational Vehicles from The Trails to M-1 Mobile Home Zone, accounting for setbacks.**

**Enclosures: Draft Mixed-Use Ordinance Amendment  
Draft Park Model Zoning Amendment**

**CITY OF HORSESHOE BAY**

**ORDINANCE NO. 2019-\_\_**

**TEXT AMENDMENT TO THE ZONING ORDINANCE ADDING MU-1 MIXED-USE AS A ZONING CLASSIFICATION IN ZONE 4A HORSESHOE BAY PROPER**

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS AMENDING CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.406 IN ZONE 4A HORSESHOE BAY PROPER; ADDING MU-1 MIXED-USE AS A NEW ZONING CLASSIFICATION; AND PROVIDING FOR SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING**

**WHEREAS**, the City Council of the City of Horseshoe (“City Council”) seeks to continue to provide for the health, safety, and welfare of those living in, working in, and visiting the City; and

**WHEREAS**, the City Council has adopted the FLUM to help guide future land use decision making, and said map includes areas designated as Mixed-Use; and

**WHEREAS**, the City Code of Ordinances does not include a Zoning Classification that adequately satisfies the stated goal of a mixture of lower intensity residential and commercial uses for the area designated as Mixed-Use on the FLUM; and

**WHEREAS**, the Zoning Map needs to be updated to reflect the changes prescribed by the Future Land Use Map (FLUM); and

**WHEREAS**, the City Council, in the exercise of its legislative discretion has concluded that Chapter 14 Zoning of the City Code of Horseshoe Bay should be amended as herein described.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:**

**I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**II. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.406**

Section 14.02.406 is hereby amended to read as follows:

(o) The following provisions shall be applicable to all land within Zone 4A Horseshoe Bay Proper classified as MU-1 Mixed-Use:

- (1) This classification is intended to establish areas where a mixture of land uses is appropriate and the traditional segregation of use types is relaxed. Height and bulk regulations are retained from the original designations except where otherwise stated.
- (2) Uses permitted.
  - (A) Any use permitted in the R-1 area that meets the requirements of the R-1 classification;
  - (B) Any use permitted in the R-2 area that meets the requirements of the R-2 classification;
  - (C) Any use permitted in the R-4 area that meets the requirements of the R-4 classification;
  - (D) Any use permitted in the R-6 area that meets the requirements of the R-6 classification;
  - (E) Any use permitted in the C-2 area that meets the requirements of the C-2 classification.
- (3) Minimum yard requirements
  - (A) All yard requirement shall be those of the classification in (2)(A) and (2)(B) above.
  - (B) Rear setback (waterfront) for the building foundations shall be up to the edge of the 825' contour line along Lake LBJ. All buildings shall be at a minimum elevation of 827'.
  - (C) Lots for which there is new commercial construction that abuts a lot with an existing residential use shall observe an additional (5) feet on whichever side(s) the residence(s) is located.
- (4) Maximum building height
  - (C) The maximum building height shall be thirty-five (35) feet above the highest natural contour of the applicable lot, except for: clubhouses which shall be limited to thirty-two (32) feet; and multiple dwelling complexes are limited to a maximum of three (3) stories, or forty (40) feet. Approval of up to two (2) or more additional stories may be requested and may be approved if depicted on the site plan and authorized by planned development agreement.

### **III. SEVERABILITY**

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

### **IV. REPEALER**

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

### **V. EFFECTIVE DATE**

This Ordinance shall be and become effective from and after its date of passage and publication as may be required by governing law.

### **VI. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**ADOPTED AND APPROVED** on this 21<sup>st</sup> day of May, 2019 by a vote of the City Council of the City of Horseshoe Bay, Texas.

**CITY OF HORSESHOE BAY, TEXAS**

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**Stephen T. Jordan, Mayor**

**Attest:**

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**Kerri Craig, City Secretary**



**CITY OF HORSESHOE BAY**

**ORDINANCE NO. 2019-\_\_**

**TEXT AMENDMENT TO THE ZONING ORDINANCE ADDING A DEFINITION FOR PARK MODEL HOME, EXEMPTING PARK MODEL HOME FROM OCCUPANCY RESTRICTION FOR RECREATIONAL VEHICLES, ADDING PARK MODEL HOME AS A PERMITTED USE IN ZONE 4B HORSESHOE BAY SOUTH**

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS AMENDING CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.002 DEFINITIONS ADDING A DEFINITION FOR PARK MODEL HOME; SECTION 14.02.406(i)(1) ADDING NEW SUBSECTION (B) PARK MODEL HOME AND RENUMBERING SUBSECTION (B) AS SUBSECTION AS (C); AND PROVIDING FOR SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING**

**WHEREAS**, the City Council of the City of Horseshoe (“City Council”) seeks to continue to provide for the health, safety, and welfare of those living in, working in, and visiting the City; and

**WHEREAS**, the City Council has adopted the FLUM to help guide future land use decision making, and said map includes an area designated as Mixed-Use; and

**WHEREAS**, the City Code of Ordinances does not include a Zoning Classification that adequately satisfies the stated goal of implementing Park-Model Homes as an alternative housing option in Horseshoe Bay South; and

**WHEREAS**, the definitions, occupancy restrictions, and parking regulations for recreational vehicles needs to be reworked to accommodate Park-Model Homes; and

**WHEREAS**, the City Council, in the exercise of its legislative discretion has concluded that Chapter 14 Zoning of the City Code of Horseshoe Bay should be amended as herein described.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:**

**I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**II. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.002**

The following definition shall be added to Section 14.02.002:

Park Model Homes. Recreational vehicles built on a single chassis mounted on wheels. They are 400 square feet or less and are allowed to be occupied on a permanent basis when meeting the standards specified for manufactured homes in this article.

**III. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.406(i)(1)**

Section 14.02.406(i)(1) is hereby amended to read as follows:

- (B) Park-Model Homes
- (C) An accessory structure, including a carport, as defined and regulated in this section.

**IV. SEVERABILITY**

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

**V. REPEALER**

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

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**Stephen T. Jordan, Mayor**

**Attest:**

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**Kerri Craig, City Secretary**