Postponed due to lack of Quorum

Lancaster

TREE CITY USA

NOTICE OF MEETING AGENDA
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
MUNICIPAL CENTER
CITY COUNCIL CHAMBERS
211 N. HENRY STREET, LANCASTER, TEXAS
TUESDAY, DECEMBER 6, 2011 – 7:00 P.M.

Chair, Mary Jane Colton
Vice Chair, Quinnie Wright

Commissioner Marian Elkins
Commissioner James Mitchell
Commissioner Lawrence Prothro

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Lancaster reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

7:00 P.M. **AGENDA**

CALL TO ORDER

CITIZENS COMMENTS: (At this time citizens will be allowed to speak only on matters contained on the Planning and Zoning Commission agenda)

CONSENT AGENDA: Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Commission member may request one or more items to be removed from the consent agenda for separate discussion and action.

1. Consideration of the November 1, 2011 Regular Meeting Minutes.

PUBLIC HEARING

2. **M12-01** Conduct a Public Hearing and Consider an ordinance of the City of Lancaster, Texas, amending the Lancaster Development Code by amending Article 14.400, section 14.401 Land Use Table, subsection 2.1.6 Retail & Personal Services, subsection 2.1.7 Commercial & Business Services, and subsection 2.1.8 Auto & Marine-related for the purpose of allowing certain uses to be allowed by right and not require a Specific Use Permit (SUP); amending Article 14.400, section 14.402 b(3) Bed and Breakfast Operation, to allow Bed and Breakfast operations in the Historic Town Square; amending Article 14.500, section 14.505 Industrial Districts, for the purpose of removing the requirement for buildings in Industrial zoned areas to have masonry facades wherever they face a public right-of-way.

Postponed due to lack of Quorum.
12-6-11 NB

DISCUSSION

3. Review of meeting conduct material, work session information, and 2012 meeting schedule.

ADJOURNMENT

ACCESSIBILITY STATEMENT

The Municipal Building is wheelchair accessible. If you plan to attend the meeting and have a physical impairment, which requires special arrangements or require sign interpretive services, please contact the City Secretary's Office 72 hours prior to the meeting at (972) 218-1310 or TDD 1-800-735-2988. Reasonable accommodations will be made to assist your needs.

CERTIFICATE

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall,

December 2, 2011 @ 12:00 am/pm.

Nathaniel Barnett

Nathaniel Barnett, Senior Planner

Lancaster

TREE CITY USA.

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December 2, 2011 @ 12:00 am/pm.

Nathaniel Barnett

Nathaniel Barnett, Senior Planner

PLANNING & ZONING COMMISSION
Agenda Communication for
DECEMBER 6, 2011

#1

CONSIDERATION OF THE NOVEMBER 1, 2011 MEETING MINUTES.

Prepared by:

Nathaniel Barnett, Senior Planner

REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, NOVEMBER 1, 2011

CALL TO ORDER:
Chair Colton called the meeting to order at 7:01 p.m. on November 1, 2011.

COMMISSIONERS

MARY JANE COLTON, CHAIR
QUINNIE WRIGHT, VICE CHAIR
MARIAN ELKINS – not present
JAMES MITCHELL
LAWRENCE PROTHRO

CITY STAFF
NATHANIEL BARNETT — **SENIOR PLANNER**
JULIE PANDYA — **CITY ATTORNEY**

CITIZENS COMMENTS: (At this time citizens will be allowed to speak only on matters contained on the Planning and Zoning Commission agenda)

Kay Mashburn, 2120 Cedardale, spoke on case Z12-01 regarding the widening of Houston School Road and the increased traffic for the area. She was against re-zoning the land for commercial uses because of the traffic that would be generated. She was concerned about the residents in the immediate area and issues with regards to the floodplain nearby.

Nancy Moffett, 2105 North Houston School Road, spoke about the posting of item 2 being on the southeast and not the northeast corner and that the zoning is not Agricultural Open Space. Senior Planner Barnett stated that the property is zoned Agricultural Open Space.

Dixie Pace, 2138 Cedardale, spoke against re-zoning the property at 2254 Cedardale because she doesn't want to live next to a car lot. She stated the property owner had already tried to use the lot as a wood yard.

CONSENT AGENDA: Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Commission member may request one or more items to be removed from the consent agenda for separate discussion and action.

1. Consideration of the September 6, 2011 Regular Meeting Minutes.

Chair Colton entertained a motion for the consent agenda.

VICE CHAIR WRIGHT MADE THE MOTION TO APPROVE THE MINUTES FROM SEPTEMBER 6TH, SECONDED BY COMMISSIONER MITCHELL.

AYES: COLTON, MITCHELL, PROTHRO, WRIGHT
NAYES: NONE

THE MOTION CARRIED 4-0.

PUBLIC HEARING

2. **Z12-01** Conduct a Public Hearing and consider a Rezoning request from AO (Agricultural Open) to LI (Light Industrial), Generally Located on the northeast corner of the intersection of Houston School Road and Cedardale Road. The property is approximately 1.45 acres of land.

Senior Planner Nathaniel Barnett gave a presentation regarding the subject property. He gave some background information on the property as well as showed photos of the property as it exists today. Senior Planner Barnett showed the zoning for the area as well as future land use for the properties surrounding the subject property. He mentioned the necessity for commercial property to be screened from residential uses. He also mentioned other development standards that would be required should the property be used for commercial purposes.

Commissioner Mitchell asked if the property would be commercial should it be re-zoned. Senior Planner Barnett stated that it would be. Chair Colton stated that the primary uses are residential on the side of Houston School Road where the subject property is located. Senior Planner Barnett stated that there are some houses on Houston School Road but the properties are zoned retail or agricultural. Commissioner Wright asked if the properties on Houston School Road are not zoned residential but those on Cedardale are. Senior Planner Barnett stated that some on Cedardale are zoned residential but most are zoned agricultural. Commissioner Mitchell asked about the floodplain and Senior Planner Barnett stated that the subject property is not in the floodplain. Chair Colton asked how many feet away is the floodplain from the subject property. Senior Planner Barnett stated it is about 100 feet away.

The applicant, Alvin Fuller 970 Newton Road, Ferris Texas, stated that he owns several properties in Lancaster and he wanted to address the concerns addressed about the subject property. He stated that they can be a good neighbor. He does not plan to develop the entire lot so that space is left between his development and the neighboring properties. Mr. Fuller mentioned that he wants to use the subject property for a car lot. Chair Colton asked the applicant about the screening of the property. Senior Planner Barnett stated that screening would be required from residential uses.

Chair Colton opened the public hearing.

IN FAVOR:
None

OPPOSED:
Robert Mashburn, 2120 Cedardale Road spoke of the adjacent property on the side of the subject property is residential. He stated this would be the only property that would be something other than residential. He also stated that anything that would increase traffic in that area should be carefully considered. He also mentioned the potential of lighting being an issue. He stated that not all of the businesses on Houston School Road have been good neighbors.

Nancy Moffett, 2105 N. Houston School Road, stated she wanted to know if the existing structure would be torn down and building a structure appropriate for an office. She also stated that car lots would bring in car repair uses.

Kay Mashburn, 2120 Cedardale Road, spoke of concerns for the look of the property and thought that the original plan was to demolish the existing structure. She spoke of code violations and concerns of what would be placed there in the future.

Chair Colton entertained a motion to close the public hearing.

COMMISSIONER MITCHELL MADE A MOTION TO CLOSE THE PUBLIC HEARING, SECONDED BY VICE CHAIR WRIGHT.

AYES: COLTON, MITCHELL, PROTHRO, WRIGHT
NAYES: NONE

THE MOTION CARRIED 4-0.

Discussion of Item 2
Chair Colton stated she was concerned about the lack of definitive plans for the subject property. She mentioned the number of uses that could be placed on a property zoned light industrial and its proximity to residential structures. Senior Planner Barnett stated that plans were not required at this time because this is a zoning case. City Attorney Pandya stated the staff report does provide guidance to the Commission to help them make their decision. Chair Colton stated that uses today are primarily residential. Senior Planner Barnett stated that she was correct but the long-range plans for the area with the current zoning would produce more industrial uses. Commissioner Prothro asked if plans would be appropriate at this time or would a site plan be required presently. Senior Planner Barnett stated that site plans would be required prior to development but not at the time of zoning. Commissioner Mitchell stated that the size of the subject property would not allow certain uses. Senior Planner Barnett stated that he was correct, that many commercial uses would require more land for development.

Chair Colton entertained a motion.

COMMISSIONER PROTHRO MADE A MOTION TO TABLE THE ITEM.

MOTION FAILED DUE TO LACK OF A SECOND

VICE CHAIR WRIGHT MADE A MOTION TO APPROVE THE ZONING CHANGE, SECONDED BY COMMISSIONER MITCHELL.

AYES: MITCHELL, PROTHRO, WRIGHT
NAYES: COLTON

THE MOTION CARRIED 3-1.

3. **Z12-02** Conduct a Public Hearing and Consider a Request for a Specific Use Permit for a Group Home use for Property Generally Located approximately 540 feet from the Southwest Corner of the intersection of Pleasant Run Road and Willow Creek Drive and addressed as 1207 Willow Creek Drive.

Senior Planner Barnett gave a brief presentation regarding the proposed group home. He explained why a Specific Use Permit (SUP) was required for this particular group home. Senior Planner Barnett showed aerial photos displaying the zoning and other social service uses in the community for the proposed group home. Commissioner Mitchell asked what the home is now. Senior Planner Barnett stated it may be operating as a group home but is not legal as it has not obtained the proper permits.

The applicant was not present.

Chair Colton opened the public hearing.

IN FAVOR:
None

OPPOSED:
Mary Roberts Sweden, 950 Sycamore Lane, mentioned her history in the area and how she has witnessed changes in the area that is not good. She believes another group home would lower the property values of her home. Mrs. Sweden stated that her experience with group homes has not been positive. She spoke of an occupant from the proposed group home being outside in his wheel chair and sitting for hours in over 100 degree heat.

Ellen Franklin, 1133 Willow Creek Drive, stated that she lives next door to the proposed group home. She is concerned with the occupants of the group home and the excessive garbage that has attracted rodents to her home where she has had to sit out traps to catch the rodents. She's also concerned about the traffic in the area and the parking of cars in front of her home. She is also concerned about property values of the area.

Nancy Moffett, 2105 North Houston School Road, asked that this item be recommended for denial with prejudice. Senior Planner Barnett stated that a recommendation of denial is automatically with prejudice according to the Lancaster Development Code.

Chair Colton entertained a motion to close the public hearing.

COMMISSIONER PROTHRO MADE A MOTION TO CLOSE THE PUBLIC HEARING, SECONDED BY VICE CHAIR WRIGHT.

AYES: COLTON, MITCHELL, PROTHRO, WRIGHT
NAYES: NONE

THE MOTION CARRIED 4-0.

Discussion of Item 3
Commissioner Prothro stated that these types of facilities need to be monitored well because they can often be a detriment to the community if unregulated.

Chair Colton entertained a motion.

COMMISSIONER PROTHRO MADE A MOTION TO DENY Z12-02, SECONDED BY COMMISSIONER MITCHELL.

AYES: COLTON, MITCHELL, PROTHRO, WRIGHT
NAYES: NONE

THE MOTION CARRIED 4-0.

Chair Colton entertained a motion to adjourn.

A MOTION WAS MADE BY VICE CHAIR WRIGHT AND SECONDED BY COMMISSIONER PROTHRO TO ADJOURN.

AYES: COLTON, MITCHELL, PROTHRO, WRIGHT
NAYES: NONE

THE MOTION CARRIED 4-0.

Meeting was adjourned at 8:39 p.m.

_____
Mary Jane Colton, Chair

ATTEST

_____
Nathaniel Barnett, Senior Planner

PLANNING & ZONING COMMISSION
Agenda Communication for December 6, 2011

#2

M12-01 Conduct a Public Hearing and Consider an ordinance of the City of Lancaster, Texas, amending the Lancaster Development Code by amending Article 14.400, section 14.401 Land Use Table, subsection 2.1.6 Retail & Personal Services, subsection 2.1.7 Commercial & Business Services, and subsection 2.1.8 Auto & Marine-related for the purpose of allowing certain uses to be allowed by right and not require a Specific Use Permit (SUP); amending Article 14.400, section 14.402 b(3) Bed and Breakfast Operation, to allow Bed and Breakfast operations in the Historic Town Square; amending Article 14.500, section 14.505 Industrial Districts, for the purpose of removing the requirement for buildings in Industrial zoned areas to have masonry facades wherever they face a public right-of-way.

Background

Periodically, the Lancaster Development Code (LDC) is reviewed by Staff to ensure that the regulations contained within are current and appropriate. Sections are reviewed to address the requirements placed upon land uses, the definitions of uses, the location uses are allowed, and other language and information contained in the LDC. These reviews lead to amendments being made to update and change the LDC to more appropriately reflect the best possible environment for Lancaster's citizens, property owners and the development community.

In this round of reviews, Staff looked at the appropriateness of Specific Use Permit (SUP) designations for multiple uses, the allowances of uses in certain areas and the requirements placed on uses in multiple zoning districts. From this review, it was determined that several amendments should be proposed to minimize the encumbrances placed on the development community when bringing forward new construction, development, and/or business to the city.

Following are the proposed changes to the Lancaster Development Code:

AMENDMENT – Article 14.400 Permissible Uses
Section 14.401 **Land Use Tables**

In reviewing the Land Use Tables, Staff found seven (7) uses that required an SUP designation that would be more feasible to allow them by right. These land uses primarily required an SUP in the Neighborhood Services zoning district while being allowed by right in other zoning districts. Because of their size, potential hours of operations, and nature of their business, Staff concluded that an SUP would not be necessary for these land uses. The rationale for an SUP is typically to safeguard an area from potential harmful effects caused by one use upon another. The seven land uses that are being proposed to be allowed by right and the zoning district the change is being proposed for is as follows (black is existing, red is proposed):

Subsection 2.1.6 Retail & Personal Services

Land Use	NS	R	CH	CS	ORT	LI	MI
Antique/Collectible Store	S P	P	P	P			
Catering Service	S P	P	P	P	S P	P	
Christmas Tree Sales Lot & Similar Uses, Temporary+	S P	P	P	P	S P	P	P
Museum or Art Gallery (private)	S P	P		P	P	P	
Retail store with more than 2 fuel dispensers		S P	P	P		P	P

Subsection 2.1.7 Commercial & Business Services

Land Use	NS	R	CH	CS	ORT	LI	MI
Electrical, Watch, Clock, Jewelry & Similar Repair	S P	P	P	P		P	P

Subsection 2.1.8 Auto & Marine-Related

Land Use	NS	R	CH	CS	ORT	LI	MI
Car Wash/Auto Detail+	S	S P	S P	P		P	P

AMENDMENT – Article 14.400 Permissible Uses
Section 14.402 b(3) **Bed and Breakfast Operation**

In reviewing the areas that a Bed and Breakfast is allowed, Staff noticed that they are not allowed within the Historic Town Square. By adding this land use to the Town Square, it could potentially increase the awareness of the city's Historic District as well as stimulate additional interest in the Town Square by creating another type of tourist attraction. A Bed and Breakfast would be allowed only where residential units are currently allowed and not on the first floor which would remain for retail shops, offices, and restaurants. Staff proposes the LDC be amended by adding the language of where Bed and Breakfast operations are allowed to be located in this section as follows:

(3) Bed and Breakfast Operation

A. A "bed and breakfast" must be located on an owner-occupied single family lot, or on an immediately adjacent lot, or in the Historic Town Square in the Downtown District where residential units are allowed.

AMENDMENT – Article 14.500 District Development Regulations and Standards

Section 14.505 **Industrial Districts**

Land zoned for Industrial uses is typically occupied by manufacturing and warehouse buildings in areas either concentrated in locations out of general travel patterns or on the periphery of the city. The LDC requires land uses in these areas to be screened with trees and shrubs from the public rights-of-way. This screening criterion usually obstructs most, if not all, of the view of the building from the street. Many of the structures use building materials that are primarily metal or tilt wall, which are not complementary materials for masonry. Given these factors, the requirement of a masonry front façade is obsessive when placed in context with the built environment and nature of these areas. Therefore, Staff proposes the removal of the requirement for buildings in Industrial zoned areas to have masonry façades on walls which are visible from a public street or open space. Staff proposes the LDC to be amended as follows:

(a) General Industrial District Standards.

(1) *Construction Materials*. Exterior Walls - ~~Each exterior wall shall consist of 100% masonry materials as defined in *Article 14.1300 Definitions - Masonry*, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20% stone.~~

All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first 8 feet above grade on a façade visible from a street or public area.

Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the Planning and Zoning Commission or City Council upon submission and approval of elevation drawings of the subject structure, and material samples.

Considerations

- Public Information
  On Friday, November 25, 2011 a Public Hearing notice appeared in the Focus Daily News, the City of Lancaster's newspaper of record. The Lancaster Development Code (LDC) requires two public hearings and legal notification in the City's newspaper

of the record to approve a text amendment. This is the first of the two public hearings; the second being at City Council on January 23, 2012.

Options/Alternatives

1) Recommend approval, as requested.
2) Recommend approval in accordance with modifications and said modifications shall be stipulations of approval.
3) Postpone consideration.
4) Recommend denial of the request.

Recommendation

Staff recommends **approval** of the changes to the Lancaster Development Code in reference to items being proposed.

Approval Process

Upon recommendation by the Planning and Zoning Commission, the City Council will conduct a public hearing and render a final decision for this item at their January 23, 2012, regular meeting.

Attachments

- Land-use Table from the LDC – Redlined (4 pages)
- Excerpts from the LDC (2 pages)

Prepared and Submitted by:

Nathaniel Barnett
Senior Planner

Date: December 1, 2011

P = Permitted A = Accessory Use S = SUP "+" = Permitted with Conditions

Agric.	Residential									Permitted Uses	Commercial					Industrial		
A-O	SF-E	SF-4	SF-5	SF-6	ZL-7	2F-6	TH-16	MF-16	MH	2.1.6 Retail & Personal Services	NS	R	CH	CS	TC	ORT	LI	MI
										Antique/Collectible Store	S-P	P	P	P				
										Astrologer, Hypnotist, or Psychic Art and Science	P	P	P	P				
										Banquet Facility		P	P	P				
										Business School		P	P	P		P	P	
										Catering Service	S P	P	P	P		S	P	
										Christmas Tree Sales Lot & Similar Uses, Temporary +	S-P	P	P	P		S	P	P
										Convenience Store/Mini-mart	P	P	P	P				
										Convenience Store/Mini-mart w/ Drive-through							S	S
										Copy Center	P	P	P	P		P	P	P
										Display, Incidental +	P	P	P	P				
										Garden Supply/Plant Nursery +	S	P	P	P			P	
										General Personal Service	P	P	P	P			S	
										Grocery Store	P	P	P	P				
										Grocery Store w/ Drive-through							S	S
										Hair Salon, Manicurist	P	P	P	P				
										Laundry, Drop-off/Pickup	P	P	P	P			P	P
										Laundry, Self Service	P	P	P	P			P	P
										Massage Therapist	P	P	P	P				
										Movie Theater		P	P	P				
										Museum or Art Gallery (Private)	S-P	P		P		P	P	
										Night Club, Discoteque, or Dance Hall		S	P	P			S	S
										Pawn Shop			S	S			P	P
										Pet Shop	P	P	P	P				
										Private Club +	S	P	P	P		S	P	P
P	P	P	P	P	P	P	P	P	P	Real Estate Sales Office, On-site, Temporary +	P	P	P	P		P	P	P
										Rental Store, w/o Outside Storage and Display		S	S	S			S	P

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Agric.	Residential									Permitted Uses	Commercial					Industrial		
A-O	SF-E	SF-4	SF-5	SF-6	ZL-7	2F-6	TH-16	MF-16	MH	2.1.6 Retail & Personal Services, Continued	NS	R	CH	CS	TC	ORT	LI	MI
										Restaurant, Less than 2000 Sq. Ft., w/ Drive Thru/Drive-In +	S	P	P	P			P	P
										Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru/Drive-In	P	P	P	P		P	P	P
										Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru/Drive-In +	S	P	P	P			P	P
										Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru/Drive-In	S	P	P	P		S	P	P
										Restaurant, Less than 2000 Sq. Ft. w/Patio seating	S	P	P	P		S	P	P
										Restaurant, 2000 Sq. Ft. or more w/Patio seating	S	P	P	P		S	P	P
										Retail Store, 25,000 Sq. Ft. or more	S	S	P	P				
										Retail Store, Less than 25,000 Sq. Ft.	P	P	P	P			S	S
										Retail store with gasoline product sales limited to 2 fuel dispensers and 4 vehicles	S	P	P	P			P	P
										Retail store with more than 2 fuel dispensers		S P	P	P			P	P
										Secondhand Dealer		P	P	P			P	P
										Sexually Oriented Business +								P
										Studio - Art, Photography or Music	P	P	P	P			P	
										Tailor, Clothing or Apparel Shop	P	P	P	P				
										Tattoo, Body Piercing		S						
										Taxidermist Shop							P	P

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Agric.	Residential									Permitted Uses	Commercial					Industrial		
A-O	SF-E	SF-4	SF-5	SF-6	ZL-7	2F-6	TH-16	MF-16	MH	2.1.7 Commercial & Business Services	NS	R	CH	CS	TC	ORT	LI	MI
										Bail Bond Service			S	P			P	P
										Building & Landscape Material *with* Outside Storage +		P	P	P			P	P
										Building Maintenance, Service & Sales *with* Outside Storage +				S			P	P
										Building Maintenance, Service & Sales *without* Outside Storage			P	P			P	P
S										Cemetery/ Mausoleum/ Mortuary		P	P	P			P	P
										Crematorium							S	P
										Custom & Craft Work			P	S			P	P
										Electrical, Watch, Clock, Jewelry & Similar Repair	S P	P	P	P			P	P
										Feed Store, Ranch Supply			P	S			S	P
										Food Processing				S			P	P
										Furniture or Cabinet Repair			S	P			P	
										Furniture Upholstery, Refinishing or Resale			S	P			P	P
										Gunsmith Repair and Sales			S	P			P	P
										Heavy Machinery & Equipment (Rental, Sales & Service)			S	S			P	P
										Locksmith		P	P	P			P	P
										Machine Shop				S			P	P
										Medical or Scientific Research Lab			P	P		P	P	P
										Mobile Home/Trailer Sales Lot				S			S	P
										Portable Buildings - Commercial +		S	S	S		S	S	S
										Research and Technology / Light Assembly			P	P		P	P	P
										Shoe and Boot Repair and Sales	P	P	P	P				
										Trade School			S	S		P	P	P
P	P	P	P	P	P	P	P	P	P	Temporary On-site Construction Office +	P	P	P	P		P	P	P

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Agric.	Residential									Permitted Uses	Commercial					Industrial		
A-O	SF-E	SF-4	SF-5	SF-6	ZL-7	2F-6	TH-16	MF-16	MH	2.1.8 Auto & Marine-Related	NS	R	CH	CS	TC	ORT	LI	MI
										Auto Repair Garage, Major +							S	P
										Auto Repair Garage, Minor +		S	S	P			P	P
										Automobile Rental			S	P			P	P
										Boat & Trailer Dealership (New and Used) +			P	P			P	P
										Car Wash/Auto Detail +	S	S P	S P	P			P	P
										Car Wash, Self Service		S		P			P	P
										Motor Vehicle Dealership, New & Used (Cars and Light Trucks) +			P	S			P	P
										Parking, Commercial			P	P			P	P
										Parking Lot, non-commercial	S	P	P	P		P	P	P
										Recreational Vehicle (RV) Sales and Service			S	P			P	P
										Service Station +	S	P	P	P			P	P
										Towing & Impound Yard				S			S	P
										Towing Service, No Storage				S			P	P
										Truck Rental				P			P	P
										Truck Stop with Fuel and Accessory Services +				S			S	P

2. Side Setback: 3 ft.

3. Separation from other structures: 3 ft.

B. *Accessory Buildings 121-225 s.f. and up to 15 ft in Height*

1. Rear Setback: 3 ft.

2. Side Setback: Required Zoning District Setback.

3. Separation from other structures: *6 ft.*

C. *Detached Garages 226-900 s.f. and up to 15 ft. in Height*

1. Rear Setback: With Alley —*20 ft.* with garage doors facing alley, *3 ft.* without garage doors facing alley,
Without Alley — *10 ft.*

2. Side Setback: *Required Zoning District Setback.*

3. Separation from other structures: *10 ft.*

(3) **Bed and Breakfast Operation**

A. A "bed and breakfast" must be located on an owner-occupied single family lot, or on an immediately adjacent lot, or in the Historic Town Square in the Downtown District.

B. One (1) parking space per bedroom to be rented shall be provided above the single family parking requirement

C. No outside advertising shall be allowed on the lot unless located in a non-residential zoning district or permitted by an SUP.

D. A permanent wired smoke alarm system meeting all City codes shall be installed.

E. The premises shall pass a fire code inspection before opening and on an annual basis thereafter.

F. All applicable hotel/motel taxes shall be paid.

G. The maximum length of stay is limited to 14 consecutive days in any 30 day period.

H. A Certificate of Occupancy permit shall be obtained prior to occupancy.

(4) Carport (Residential)

A. In residential districts, Carports must be open on at least two (2) sides and be located at least 20 feet behind the corner of the front façade or meet the garage setback adjacent to an alley. It must also meet the minimum required side yard setbacks for a detached garage

B. Carports which are visible from a public street must be constructed of materials matching those of the primary residential structure.

C. Carports not meeting these standards must obtain an SUP.

D. Porte-cocheres are not considered carports, and are allowed, provided that they are attached and integral with the design of the house.

(5) Duplex

A. Limited to two (2) families.

B. The dwelling must be permanently attached to a concrete foundation.

C. The primary roof pitch must be at least 4 in 12 inches.

D. The duplex must have 1-hour fire wall separating the units.

Sec. 14.505 Industrial Districts

(a) General Industrial District Standards.

(1) *Construction Materials*. Exterior Walls - ~~Each exterior wall shall consist of 100% masonry materials as defined in *Article 14.1300 Definitions – Masonry*, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20% stone~~.

All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first 8 feet above grade on a façade visible from a street or public area.

Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the Planning and Zoning Commission or City Council upon submission and approval of elevation drawings of the subject structure, and material samples.

(2) *Maximum Building Height*.

A. All Districts. The height limit for all structures shall be as established in the Districts governing the property on which the structures are located, and the exceptions to height setback standards below.

B. Building Height and Setback Exceptions for Industrial Districts.

Exceptions. The following features may be constructed 12 feet higher than the maximum height requirement of the zoning district in which the structure is located:

1. Chimneys, church spires, elevator shafts, and similar appendages not intended as places of occupancy or storage.
2. Flag poles and similar devices.
3. Heating and air conditioning equipment, solar collectors and similar equipment, fixtures, and devices.

Provided that they are:

1. Not more than one-third of the total roof area; and
2. Set back from the edge of the roof a minimum distance of two feet for every foot by which such features extend above the roof surface of the building to which they are attached.

(3) *Building Articulation*.

A. *Requirements.* Facades which face streets shall meet the following minimum standards for articulation:

1. ***Horizontal Articulation***. No building wall shall extend for a distance equal to 4 times the wall's height without having an off-set of 25% of the wall's height,

PLANNING & ZONING COMMISSION
Agenda Communication for December 6, 2011

#3

Discuss and review meeting conduct material, work session information, and the 2012 meeting schedule.

Background

On November 15, 2011, the Planning and Zoning Commission had a work session with Ann Bagley of Bagley and Associates as the presenter. Ms. Bagley gave the Commissioners information regarding their legal and ethical responsibilities as Planning Commissioners. Following the session, each Commissioner was given a book on Robert's Rules of Order as a guideline of how to conduct a meeting. All of this information was given to help the Commission become more uniform and aware of the importance of their position. It was also given to assist in giving the Commission the appropriate ways of conducting a meeting and addressing speakers during the meeting.

This item is to address any concerns or issues that may have arisen since receiving all of the material. The primary areas of meeting conduct from Robert's Rules of Order will be highlighted. Also to be discussed is next year's calendar and the potential for additional educational and informational sessions.

Attachments

- Procedures for Motions and Other Meeting Conduct (2 pages)
- Schedule of Development Application

Prepared and Submitted by:

Nathaniel Barnett
Senior Planner

Date: December 1, 2011

Procedures for Motions and Other Meeting Conduct

How to make a Motion to close a Public Hearing:

Madame (Mister) Chair, I move that we close the Public Hearing for case number Z11-01.

How to make a Motion to approve/deny a case:

Madame (Mister) Chair, I move that we approve/deny case number Z11-01 per Staff recommendations.

Or

If you wish to add stipulations or modifications to Staff's recommendation, you would state:

Madame (Mister) Chair, I move that we approve case number Z11-01 per Staff recommendations with the following modifications: (state the changes you would like to make). *[For instance, if an SUP were required and Staff recommended approval of the SUP with no time frame, a Commissioner could move to approve the case with the addition of a one-year renewal for the SUP]*

Or

Madame (Mister) Chair, in the case of Z11-01, I move that we approve it with the requirement of (state your recommendation). *[This motion would be to approve the case but different from what staff has recommended. Such as if Staff recommends a fence height of 8 feet but a Commissioner wishes to recommend a fence height of 10 feet. Or if Staff recommends denial but the Commissioner wishes to recommend approval.]*

How to make a Motion to Table an item:

If a Commissioner believes that an item requires more information from Staff or the Applicant, a motion can be made to Table the item. The item can be Tabled for a later date, such as the next regularly scheduled Commission meeting, but must be acted upon within 60 days per the Lancaster Development Code.

Madame (Mister) Chair, I move that we table case number Z11-01 until (date) to allow (Staff/Applicant) to bring back additional information.

How to make a Motion to adjourn:

Madame (Mister) Chair, I move that we adjourn the meeting.

Procedures for Motions and Other Meeting Conduct

REMEMBER:

- Each motion needs a Second from another member, without a Second the motion fails for lack of a Second
- Each successful motion must be voted upon
- If a vote ends in a tie, another motion should be made to send forth a positive or negative recommendation to Council – this is important because it triggers whether a simple majority or super majority is required of Council

When Discussing and Item

After an item has been presented by Staff and the applicant and the public hearing has been opened and closed, the Commission may begin deliberating about the item. When a Commissioner wishes to make a statement, it is appropriate for them to wait for the Chair to recognize them before they begin to speak. This is appropriate because it 1) allows the meeting to be run in an orderly manner and 2) because the person taking the minutes or listening to a recording of the minutes is aware of who's speaking at all times.

Following is the proper way to be addressed during the discussion:

1. The Commissioner wishing to speak raises their hand
2. The Chair states, "the Chair recognizes Commissioner _____"
3. The Commissioner begins speaking

Voting on an Item

The P&Z uses a voice vote on all items to be voted upon. Thus, it is imperative that when the time for a vote comes that each Commissioner clearly and audibly say their support or opposition to the item. The Chair will state, "all those in favor" and the members in support at this time must state "Aye". The Chair will next state, "all those opposed" and the members in opposition at this time must state "Nay". It's important that the Chair hear how each person voted so that he/she may state the outcome of the vote after the vote has been taken.

Meeting Attendance

Commissioners are requested to attend each regularly scheduled and specially called meeting. The primary meeting date is the first Tuesday of each month except when preempted by a holiday. Any Commissioner that misses three (3) consecutive meetings is subject to be removed by Council. Any Commissioner that misses five (5) total meetings in a 12 month period is subject to be removed by Council.

Commissioners should inform the Planning Division representative as soon as possible when they are aware that they will not be able to attend a regularly scheduled or specially called meeting. Records are kept to note when Commissioners attend or miss meetings.

CITY OF LANCASTER
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

700 E. Main Street * Lancaster, TX 75146 * 972-218-1240
www.lancaster-tx.com

Schedule of Development Application Deadlines – 2012

Filing Deadline	DRC Review and Comments Sent	P&Z Meeting Date (if applicable)	City Council Meeting Date (if applicable)
December 5, 2011	December 14, 2011	**January 10, 2012**	January 23, 2012
January 9	January 18	February 7	February 27
February 6	February 15	March 6	March 26
March 5	March 14	April 3	April 23
April 2	April 11	May 1	May 28
May 7	May 16	June 5	June 25
June 4	June 13	**July 10**	July 23
July 2	July 11	August 7	August 27
August 6	August 15	**September 11**	September 24
September 10	September 19	October 2	October 22
October 1	October 10	November 6	**December 10**
November 5	November 14	December 4	**January 14, 2013**
December 3	December 12	**January 8, 2013**	January 28, 2013

Bold dates have changed from their regularly scheduled week due to a holiday

- Applicants are **encouraged** to schedule a pre-application meeting with the Planning Division to discuss the proposed project as well as the anticipated process and schedule for that particular item. These meetings will typically be scheduled on Wednesdays between 1:30 P.M - 4 P.M. and held in the Conference Room at 1425 North Dallas Avenue, Suite 101.
- Application submittal deadlines are **12 P.M.** (noon) on the date listed.
- **Upon submittal of a complete application package, the application will be scheduled for review by the Development Review Committee (DRC). Comments will be sent to the applicant as soon as all DRC members respond (the turn around is usually 7-10 days) and will indicate the date when corrections must be returned to staff. Staff makes every effort to get any corrections to the applicant as soon as possible.**
- Staff comments are provided via written response. Meetings related to DRC review will be scheduled at the discretion of Lancaster staff or at the applicant's request.
- All DRC comments must be addressed via written response, referencing the numbered staff comments. Original mark-ups must accompany the plan re-submittal.
- Submission of plans by a particular submittal date **does not** guarantee automatic scheduling for a specific Planning and Zoning (P&Z) Commission meeting date.
- The P&Z Commission meets on the 1st Tuesday each month at 7:00 pm in the Council Chambers-Lancaster City Hall, 211 North Henry Street, Lancaster, Texas.
- **P&Z and City Council meetings are subject to cancellation at the discretion of the P&Z Commission and City Council. Additional meetings may be scheduled as necessary. For questions contact Nathaniel Barnett, Senior Planner at 972-218-1240 or e-mail at nbarnett@lancaster-tx.com.**

UPDATED 09/2011