



**LEANDER CITY COUNCIL
And
PLANNING & ZONING COMMISSION
JOINT WORKSESSION
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall ~ 201 North Brushy Street ~ Leander, Texas

Thursday ~ August 7, 2014 at 6:00 p.m.

<p>Mayor – Christopher Fielder Place 1 – Andrea Navarrette Place 2 – Kirsten Lynch Place 3 – Simon Garcia (Mayor Pro Tem)</p>	<p>Place 4 – Ron Abruzzese Place 5 – Jason Dishongh Place 6 – David Siebold City Manager – Kent Cagle</p>
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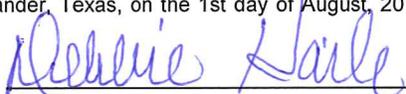
<p>Place 1 – Michelle Stephenson (Vice Chair) Place 2 – Joel Wixson Place 3 – Jason Anderson Place 4 – Sid Sokol</p>	<p>Place 5 – Richard Allen Place 6 – Betty Saenz Place 7 – Jeff Seiler (Chairman)</p>
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This meeting is open to the Public but does not allow for public participation

1. Open Work Session
2. Roll Call
3. Discussion on Planning & Zoning Commission Work Session
4. Discussion on the Ordinance regulating Garage Setbacks
5. Discussion on Comprehensive Plan Update
6. Adjournment

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves the right to adjourn into executive session on any of the above posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of interest in real property], 551.073 [contract for gift to city], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices]. The City of Leander is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at 512/ 528-2743 for information.** Hearing impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 512/ 528-2800. I certify that the above agenda for this Joint Work Session of City Council and the Charter Review Commission of the City of Leander, Texas, was posted on the bulletin board at City Hall, in Leander, Texas, on the 1st day of August, 2014 by 5:00 pm pursuant to Chapter 551 of the Texas Government Code.


 Debbie Haile, TRMC
 City Secretary



**City Council and Planning & Zoning Commission
Joint Work Session
August 7, 2014**

Executive Summary

Agenda Subject: Discussion regarding current Composite Zoning Ordinance standards for street-facing garage setbacks.

Background: The Composite Zoning Ordinance includes standards for the setback of street-facing garages to ensure that garage doors do not dominate the street scene in residential neighborhoods.

Recently, staff became aware that the garage setback requirements had not been implemented during building plan review and therefore homebuilders have been allowed to construct new homes that are not in complete compliance with the garage setback requirements. Staff began requiring compliance with the garage setback requirements and have identified some potential modifications that could clarify and streamline the review of residential building plans.

Currently, the Composite Zoning Ordinance requires street-facing garages to be setback to 25 feet and be even with or behind the front facade of a house except in two zoning districts, SFC and SFT, the garage may extend up to five feet in front of the facade on lots less than 60 feet.

Because the five foot extension only applies in SFC and SFT, it has caused some confusion in application as there may be lots less than 60 feet in other zoning districts.

Staff is recommending that Council consider allowing the five foot extension for all zoning districts and all lot sizes. Staff is also recommending that Council consider eliminating the separate

garage setback distance requirement and have only one front setback requirement on lots.

Origination: Tom Yantis, Director of Development Services

**Financial
Consideration:** None

Attachments: Composite Zoning Ordinance Site Standards Section 6
Illustration of Current Ordinance Requirements
Photos of recently constructed homes (in PowerPoint)

Prepared By: Tom Yantis, Director of Development Services

SECTION 6: SETBACKS

(a) Building / Structure and Site Improvements:

BUILDING / STRUCTURE							
	Use Component	Architectural Component	Front	Side	Street Side	Rear	
Standard Setback	SFR		25' (30' street facing garage)	7'	15' (20' street facing garage)	15'	
	SFE, SFS, SFU, SFU/MH, TF		20' (25' street facing garage)	5'	15' (20' street facing garage)	15'	
	SFC, SFL		20' (25' street facing garage)	5' or 0' & 10'	15' (20' street facing garage)	10'	
	SFT		15' (20' street facing garage)	0 or 10'	15' (20' street facing garage)	10'	
	MF	Type A		20'	10'	20'	20'
		Type B		25'	10'	25'	20'
	LO, LC, GC, HC, HI	Type A, B		15'	10'	15'	10'
Type C			20'	10'	20'	10'	
GC, HC, HI	Type D		25'	15'	25'	15'	
Special Setback Where Adjacent to SFR, SFE, SFS, SFU, SFC, SFL, SFU/MH, TF*	MF, LO, LC, GC, HC, HI	Type A	(NA)	20'	(N/A)	20'	
		Type B	(NA)	25'	(N/A)	25'	
	LO, LC, GC, HC, HI	Type C	(NA)	30'	(N/A)	30'	
GC, HC, HI	Type D		(NA)	50'	(N/A)	50'	

PARKING, AISLE, LOADING, CANOPIES, OUTDOOR DISPLAY						
	Use Component	Site Component	Front	Side	Street Side	Rear
Standard Setback	MF	All	20'	5'***	20'	5'***
	LO, LC, GC, HC, HI	Type 1, 2	15'	5'***	15'	5'***
		Type 3	20'	5'***	20'	5'***
		Type 4, 5	25'	5'***	25'	5'***
Special Setback Where Adjacent to SF or TF*	MF, LO, LC, GC, HC, HI	Type 1-3	(N/A)	15'	(N/A)	15'
		Type 4, 5	(N/A)	20'	(N/A)	20'

OUTDOOR STORAGE						
	Use Component	Site Component	Front	Side	Street Side	Rear
Standard Setback	LO, LC, GC, HC, HI	Type 3-4	**	5'***	**	0'
		Type 5	25'	0'***	25'	0'
Special Setback Where Adjacent to SF or TF*	LO, LC, GC, HC, HI	Type 3-5	(N/A)	25'	(N/A)	25'

* Unless such district is utilized for a non-residential use

** No closer than the street facing wall of the primary structure that utilizes such storage.

*** Setback does not apply for parking, drive aisles, storage etc. that are intended to cross lot line.

FIGURE G
SFR - BUILDING SETBACK

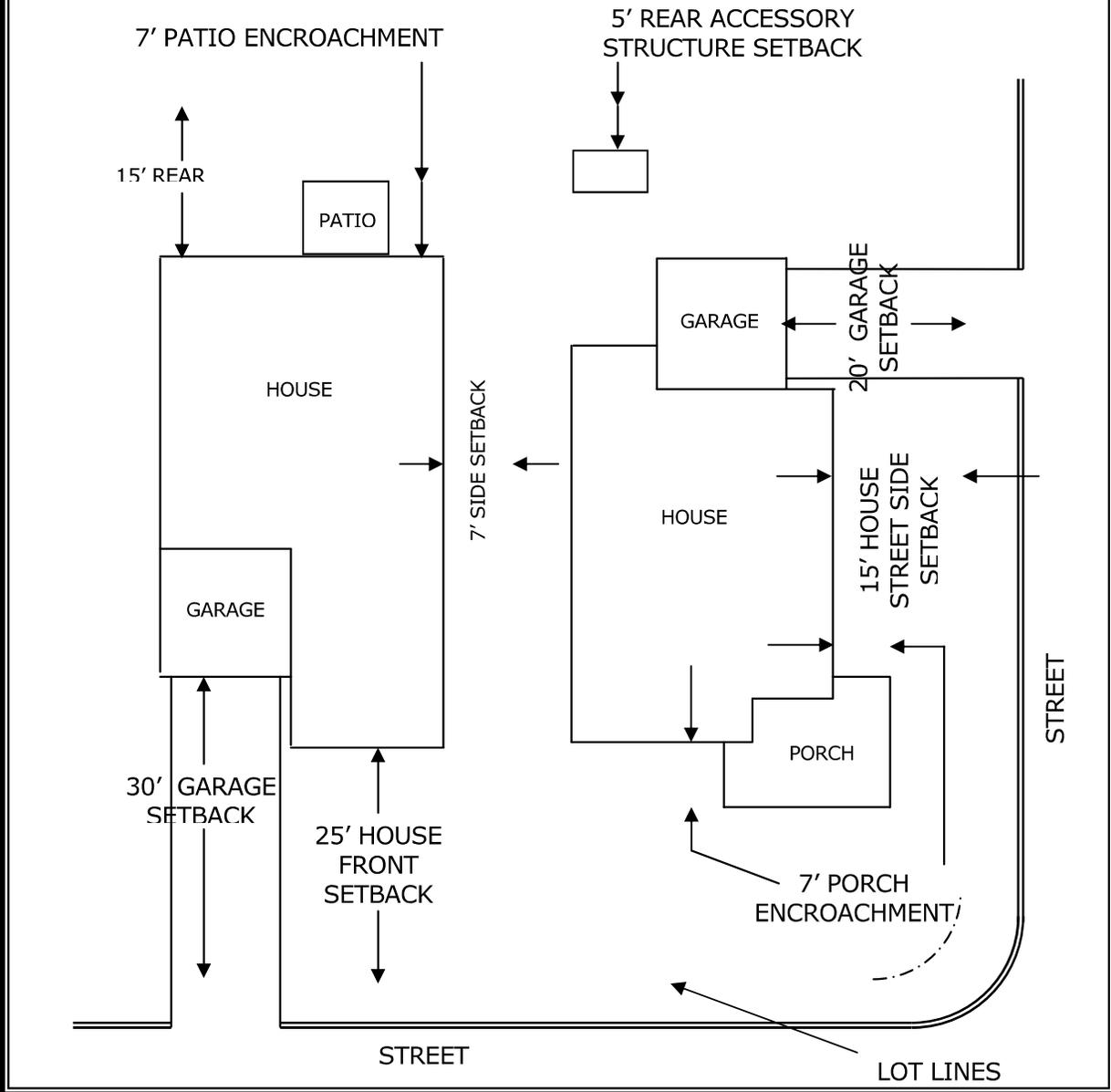


FIGURE H

SFE, SFS, SFU, SFU/MH & TF - BUILDING SETBACK

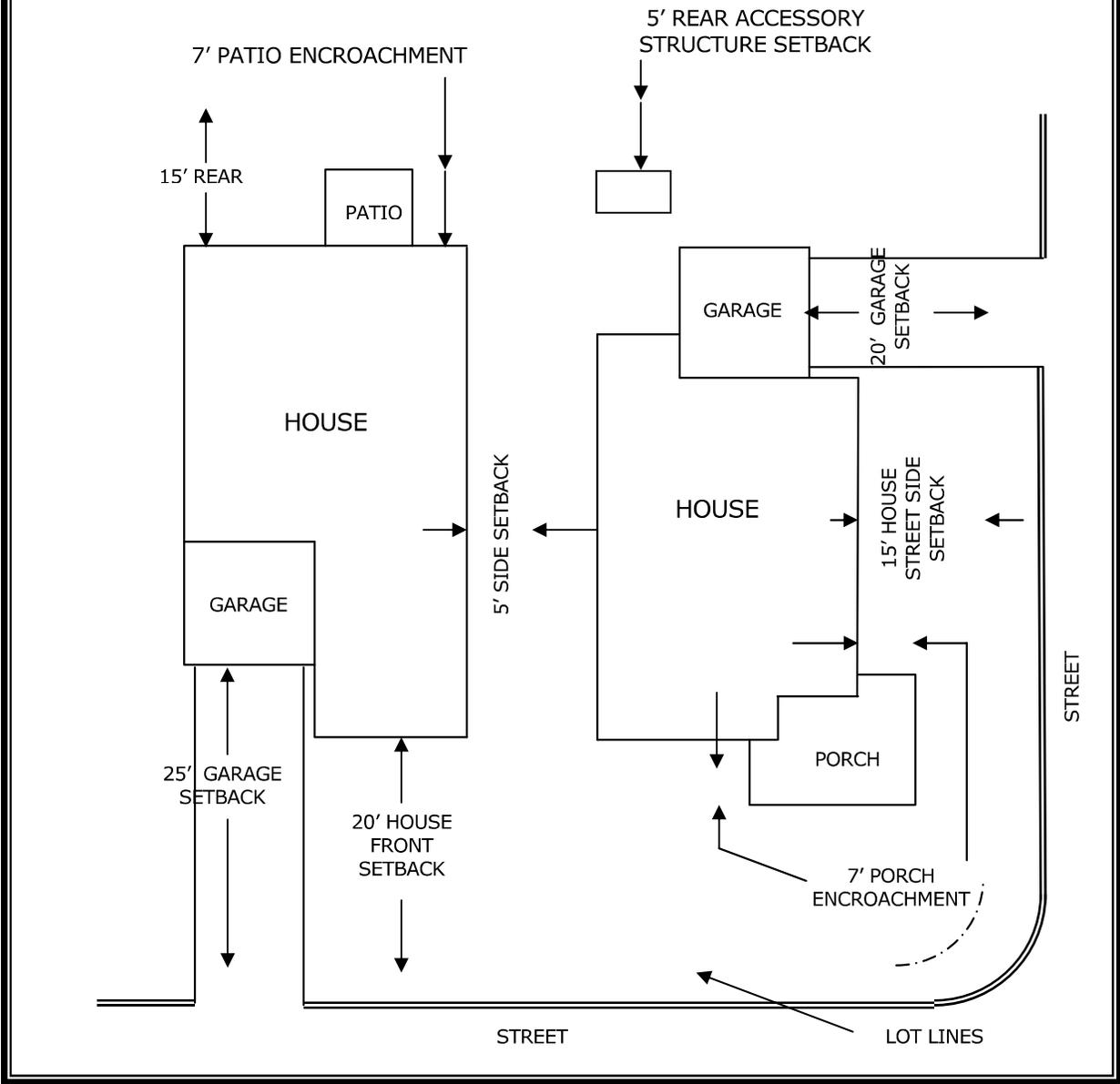


FIGURE I

SFC, SFL - BUILDING SETBACK

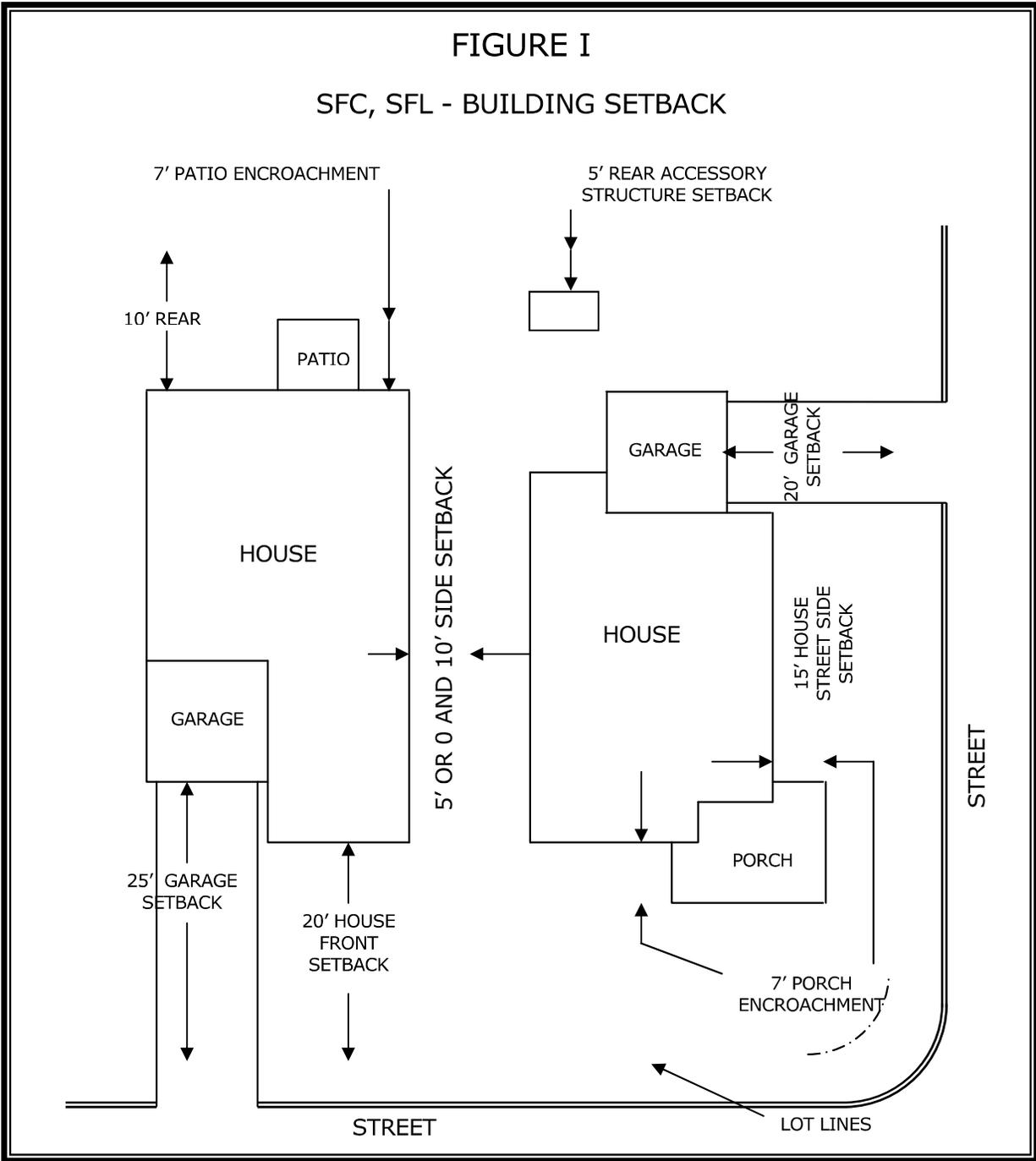


FIGURE J

SFT BUILDING - SETBACK

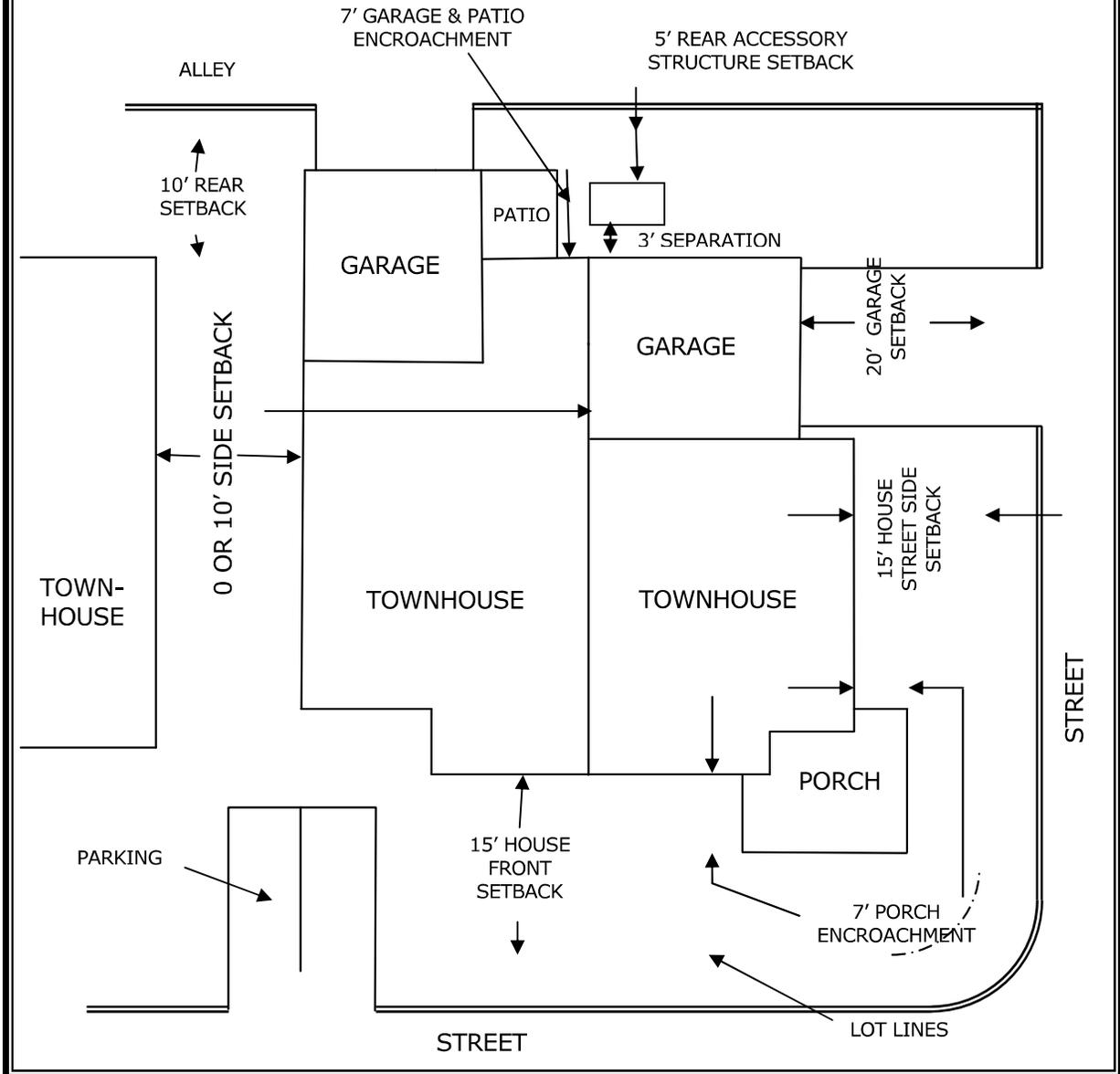


FIGURE K

MF - STANDARD SETBACKS

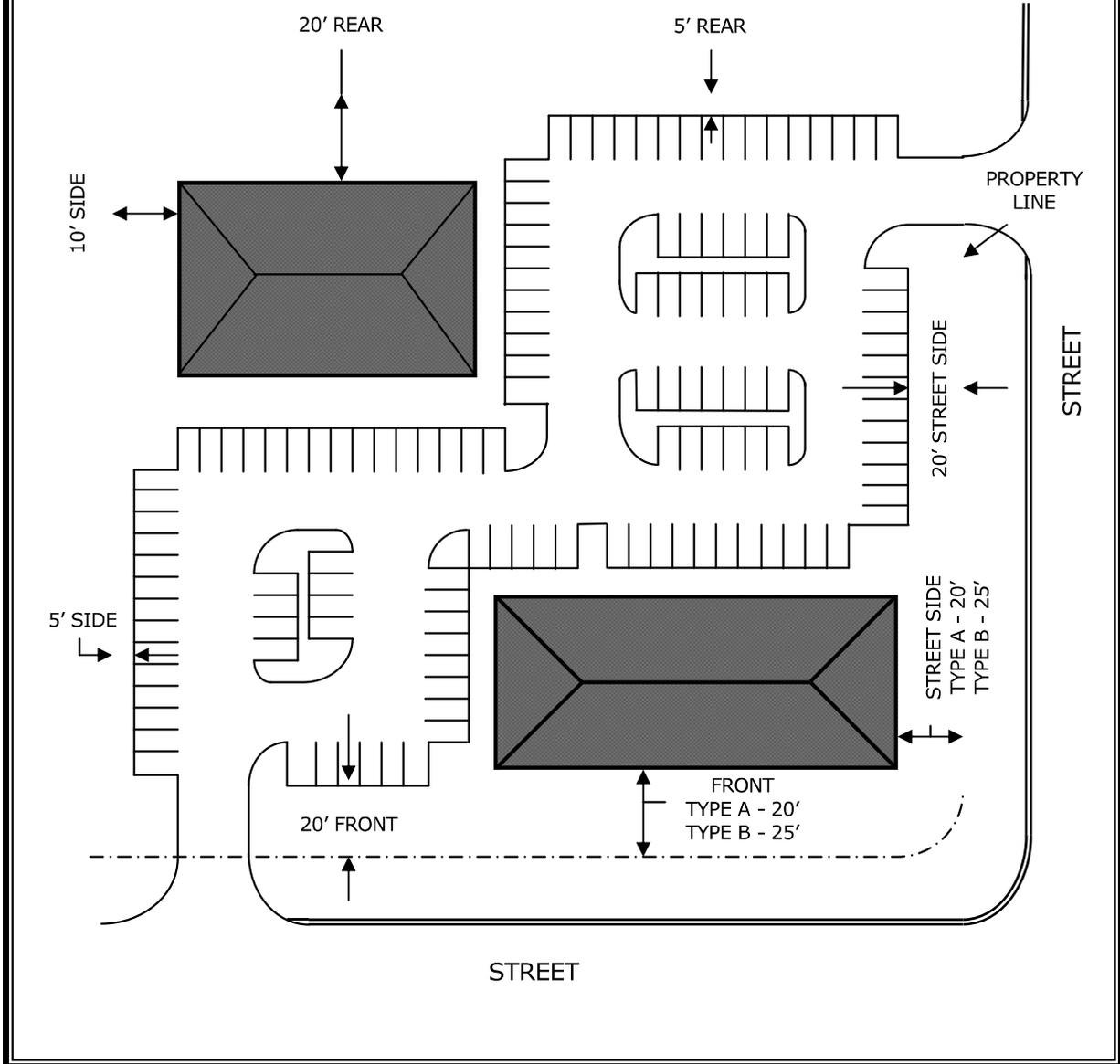


FIGURE L

LO, LC, GC, LI & HI - STANDARD SETBACKS

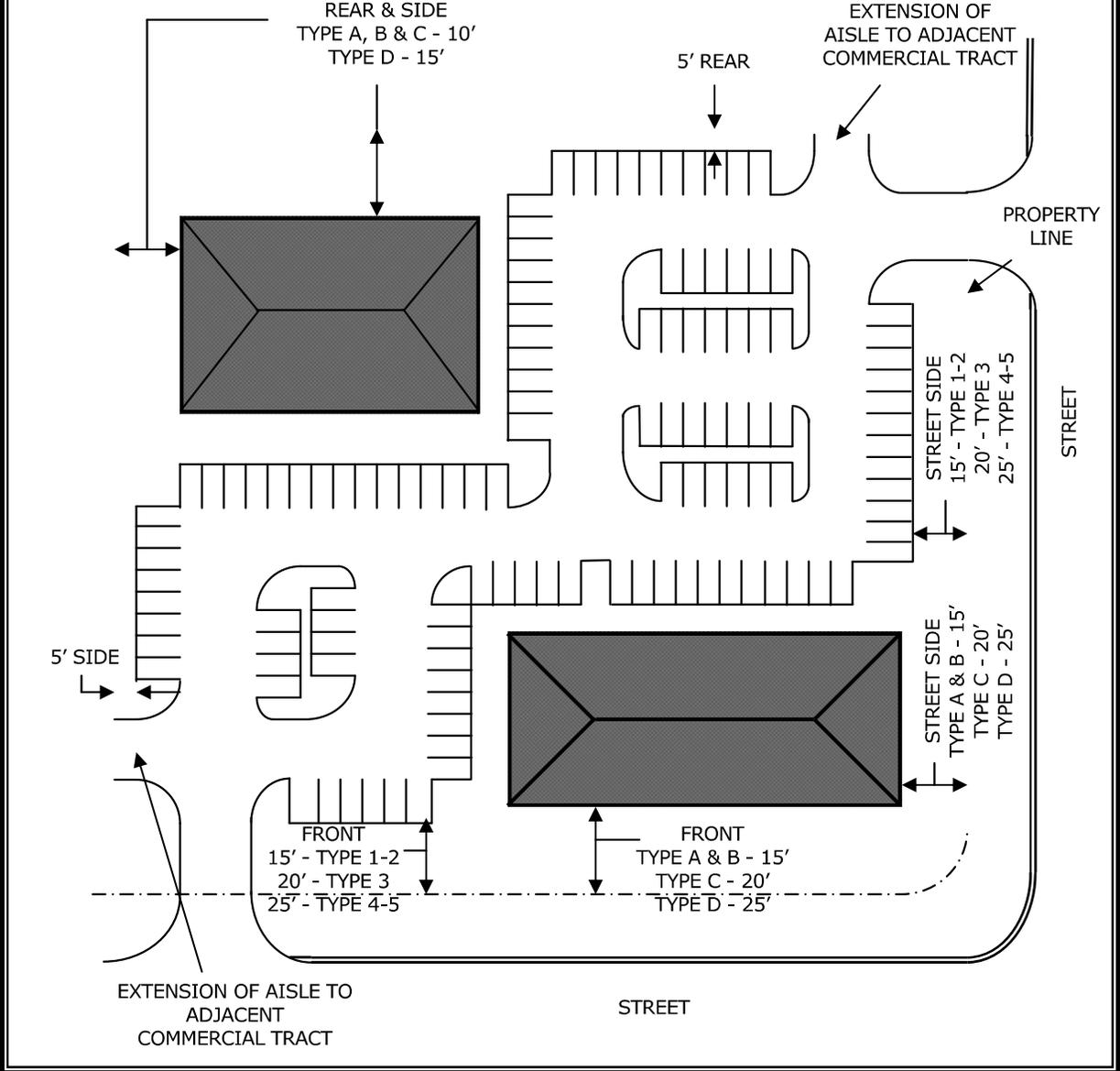
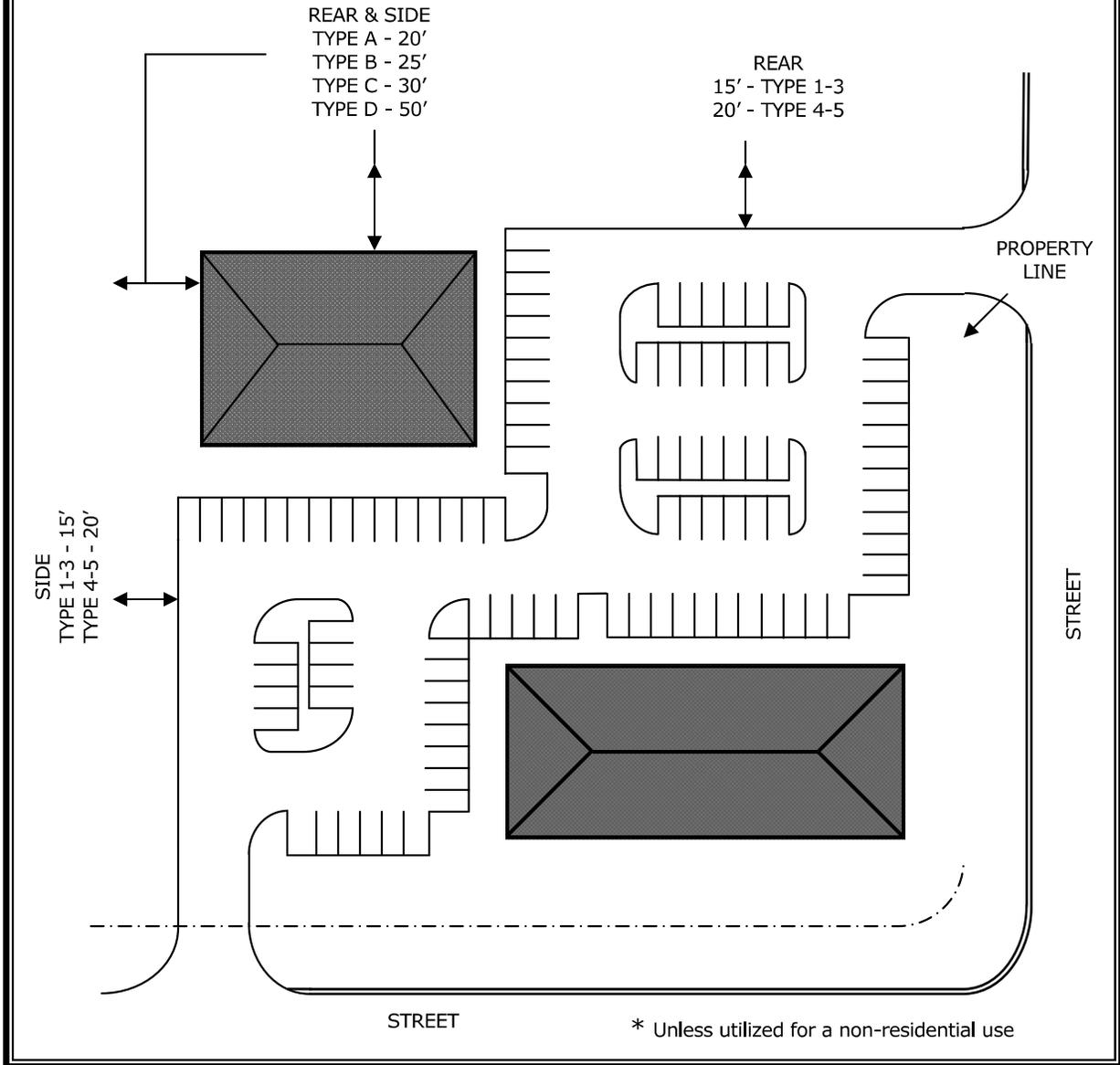


FIGURE M

MF, LO, LC, GC, LI & HI - SPECIAL SETBACKS
(WHERE ADJACENT TO SFE, SFS, SFU, SFC, SFL, SFT, SFU/MH, TF*)



- (b)** All setback areas are required to be landscaped in accordance with the landscape and screening requirements even if the area of the setbacks exceeds the minimum landscaped area requirements.
- (c)** For separation between buildings, standards of the current Building Code and Fire Code shall be applied unless additional setback is required by this ordinance.
- (d)** Sight line visibility triangles shall be maintained at all street intersections so that no fence, wall, architectural screen, landscape plantings, earth mounding or parking space shall potentially cause an obstruction of visibility above three feet and below eight feet from the top of the curb closest to the corner. Such triangle shall extend forty (40) feet each direction from the intersection curb lines. If the intersection of curb lines is curved at the corner, the triangle will be determined as if the curved curb was absent and the curb lines were extended to their intersection. At the intersection of an alley, the clearance shall be maintained for a distance of thirty feet each direction from the intersection of edge of the alley with the curb line. (See Figure N – following page)
- (e)** Air conditioning units are not permitted forward of the front wall of the building.
- (f)** Exceptions:
 - (1) An applicant may obtain a reduced building or site improvements setback upon approval of the Director of Planning, when a variable setback that contains the same total area as the required setback would create a more esthetically pleasing development; when site conditions make strict compliance with the setback undesirable or impractical; or when the character of the development (or surrounding development) makes the standard setback undesirable or inconsistent. Examples of such site conditions include, but are not limited to, the following:
 - (i) Existing buildings, existing adjacent development built to other standards, utilities or other improvements
 - (ii) Unusual shape of lot, tract or building site
 - (iii) Topography, soil, geologic, vegetation (including existing trees or other vegetation) or other natural feature
 - (iv) Safety (e.g. vehicle sight distance, impediments to emergency or other vehicle maneuvering, visibility of traffic or safety related signage)
 The request shall, as a whole, meet or exceed the standards of this ordinance. If a setback is reduced, landscape plantings shall be increased to off-set any undesirable impacts from the reduced setback. The Director of Planning shall consider approval or disapproval of a reduced setback with the following conditions:
 - (i) The minimum setback area shall not be reduced by more than 5%.
 - (ii) Additional landscaping required to off-set any undesirable impact shall be established to provide effective screening in the area of the reduced setback.
 - (iii) The setback shall not result in a negative impact to adjoining property.
 - (iv) A front or rear yard setback in a single-family or two-family district may be reduced by no more than five feet from the minimum standard requirement.
 - (v) A side yard setback may not be reduced to less than five feet without the Fire Chief's approval, and in no case shall principal buildings be located closer than ten feet to one another.
 - (2) Roof overhangs, fireplaces, bay windows and similar projections may extend into any building line a maximum of two feet on any side (see Figure O – following pages). Porches, patios, balconies and similar projections may extend into the front or rear setback a maximum distance of seven feet if there are no walls within such extension. Supporting columns, hand rails and roofs are permitted within such extension.

- (3) A detached or non-street facing garage may encroach into the rear or side setback a maximum distance of seven feet, but in no case closer than five feet from the rear or side lot line.

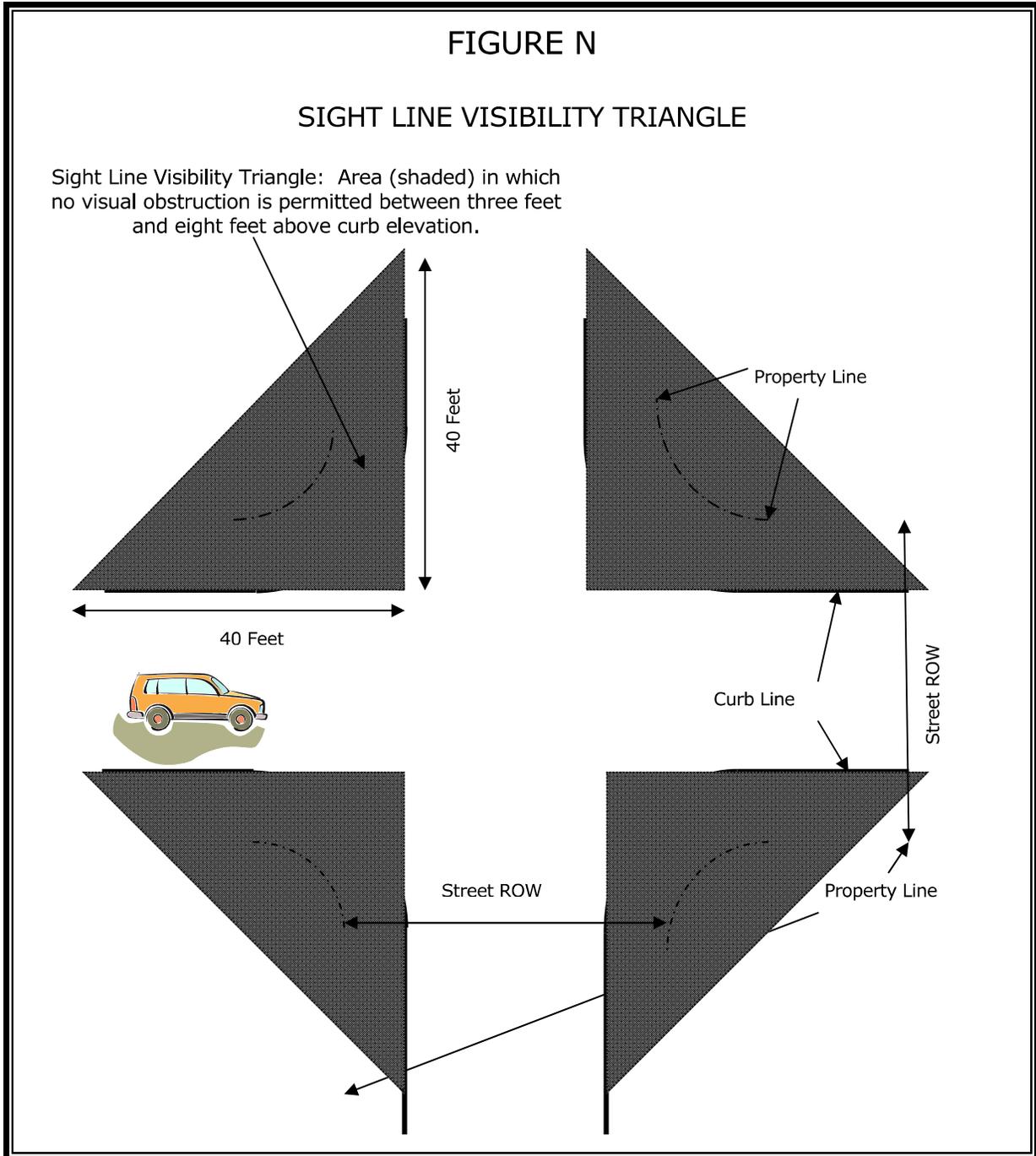
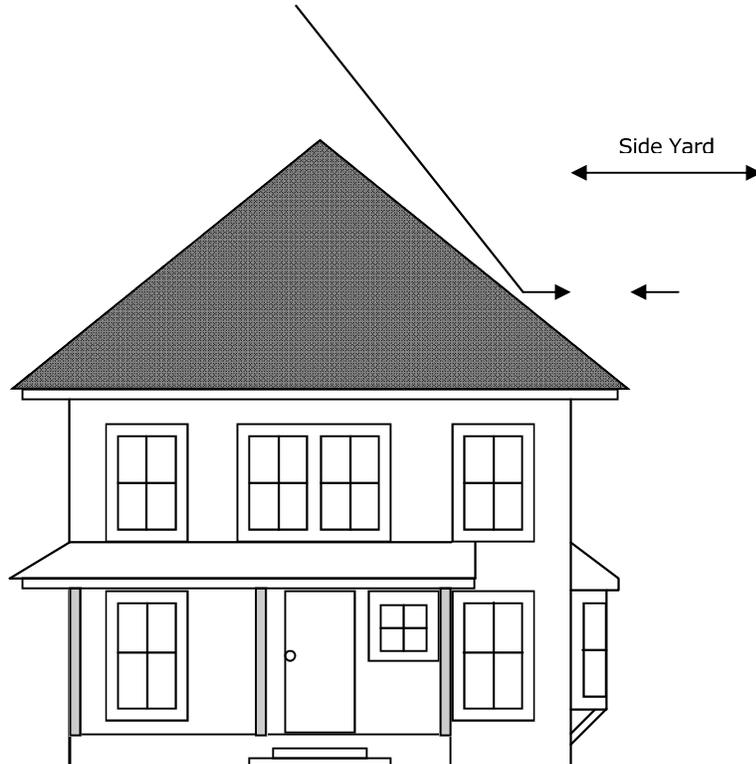


FIGURE O

SIDE YARD ENCROACHMENTS

2' Encroachment For Roof Overhang,
Bay Windows, Fireplaces, etc.



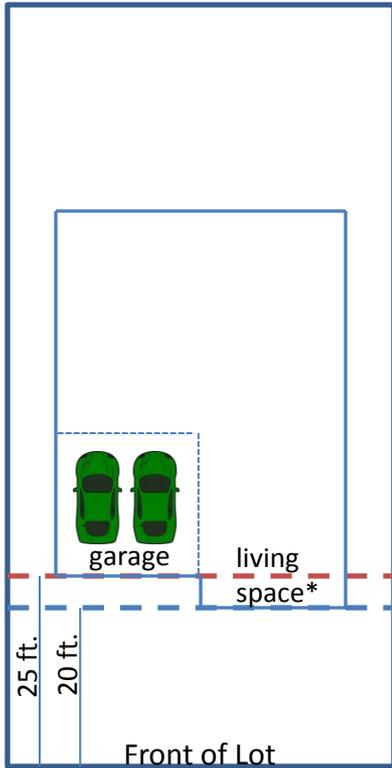
- (4) For lots less than sixty feet wide and zoned SFC or SFT, residential street facing garages shall be located no closer to the street than five feet in front of the dwelling or roof covered porch, with such dwelling or porch structure being not less than seven feet wide for all portions of the structure adjacent to the garage. For all other lots, residential street facing garages shall be located no closer to the street than the dwelling.
- (5) Nothing in these standards shall restrict zero lot line construction for an SFC or SFL district as long as permission from the lot owner adjacent to the zero setback line concurs.
- (6) Nothing in these standards shall restrict common wall construction in an SFT, MF, LO, LC, GC, HC or HI district with the condition that permits for common wall buildings are obtained and such buildings are constructed simultaneously.

- (7) Where additional ROW is required to be dedicated and the ROW plus the front setback area equal more than 20% of the lot or tract area, the front setback may be reduced such that the additional ROW plus the front setback area does not exceed 20% of the total lot area.
- (8) For non-single-family or two-family legal lots or legal tracts existing as of January 1, 2004 that are 0.75 acre or less in area or have an average lot depth of 170 feet or less are permitted to have a front building, parking, drive aisle, loading area and storage setback of fifteen feet.
- (9) Outdoor gathering areas, outdoor seating areas for restaurants, and other such similar places, even if covered with an open air structure, may be located within the front and side street setback areas as long as they do not restrict access to a public sidewalk or restrict visibility at an intersection.
- (10) The following uses are required to be set back at least four hundred (400) feet from a tollway, highway or major arterial roadway: Mini-warehouse or self storage facilities; boat, trailer, commercial vehicle and RV storage facilities; material salvage unless enclosed within a building; wrecker impoundment and sexually-oriented businesses.
- (11) Enclosed accessory buildings shall be prohibited in front of and to the side of the main building. Otherwise, accessory buildings / structures shall have the same setbacks as primary buildings except as follows:
 - (i) Unenclosed canopies (including carports) in non-residential districts covering a paved surface and suitable for vehicular parking shall be in accordance with the setback rules for parking areas,
 - (ii) Unenclosed canopies (including carports) in residential districts covering a paved surface and suitable for vehicular parking shall be located to the side or to the rear of the main building and shall be subject to the same setback rules as a garage.
 - (iii) The rear setback line for an accessory building / structure in a single-family or two-family district may be reduced to five (5) feet except barns and stables in the SFR zoning district shall not be located within 25 feet of any property line.
 - (iv) Accessory buildings / structures shall be located at least three feet from any other non-accessory building or structure on the property.
- (12) Site and structure improvements in accordance with a component more restrictive than the district in which the site is located may utilize the applicable setbacks for the more restrictive component.
- (13) Permitted non-residential development in residential districts shall utilize the LO setback standards for parking and related facilities.

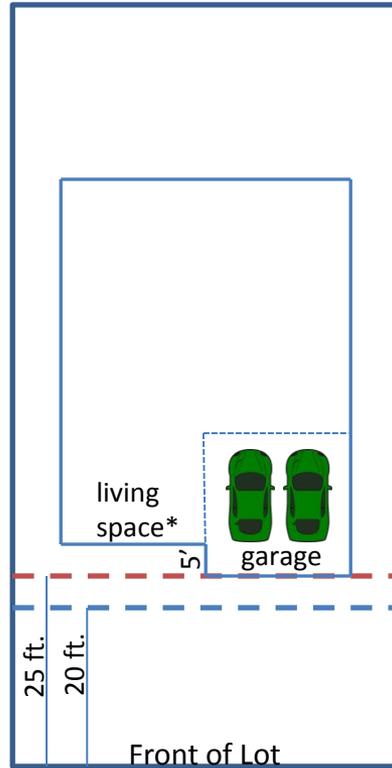
SECTION 7: (RESERVED)

SECTION 8: SINGLE-FAMILY AND TWO-FAMILY LOTS ABUTTING OR ADJACENT TO TOLLWAY, HIGHWAY, OR MAJOR ARTERIAL ROADWAY

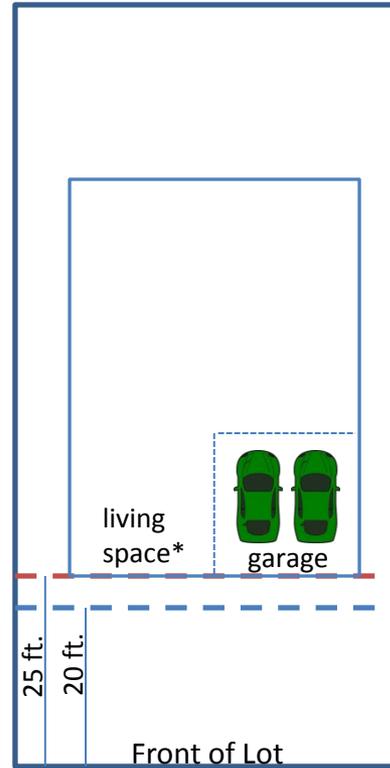
For single-family and two-family lots contained within a subdivision receiving approval for a preliminary plat and final plat or a short form plat after the effective date of this ordinance and abutting or adjacent to a tollway, highway, arterial, or collector roadways as identified on the Leander Transportation Plan or based on roadway design, direct driveway access to any single-family or two-family lot from such roadway shall be prohibited. The following are also applicable:



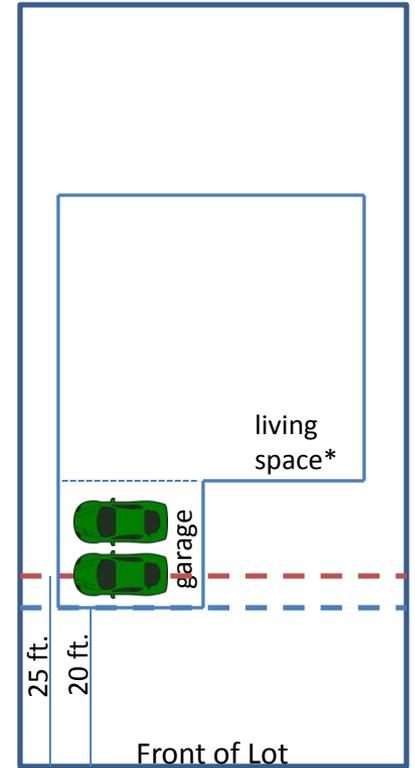
This option available in all SF and TF zoning districts



This option only available in SFC and SFT on lots narrower than 60'



This option available in all SF and TF zoning districts



This option available in all SF and TF zoning districts

- Garage setback
- Building setback

Note: SFT setbacks are 20' garage and 15' building
SFR setbacks are 30' garage and 25' building

* Roof covered porches at least 7' wide also count









on



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Florida



HIGHLAND

204-433





2014
Builder of the Year
by [unreadable]

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**City Council and Planning & Zoning Commission
Joint Work Session
August 7, 2014**

Executive Summary

Agenda Subject: Discussion regarding the process for updating the Comprehensive Plan.

Background: The City Charter requires the City to prepare a comprehensive plan and to review and consider amendments every five years. The last time the plan was updated was in 2009. The proposed FY 2014-15 budget includes funds for consulting services to update the comprehensive plan.

This agenda item provides an opportunity to discuss the process for the upcoming comprehensive plan update.

Origination: Tom Yantis, Director of Development Services

Financial Consideration: None

Attachments: Charter provisions related to the Comprehensive Plan

Prepared By: Tom Yantis, Director of Development Services

City of Leander Charter
Article 10 - Planning and Development

Section 10.02. Comprehensive Plan.

The council shall adopt and maintain a comprehensive plan, and all public and private development shall conform with the adopted comprehensive plan, or the applicable elements or portions thereof. The comprehensive plan may be amended at any time and shall be reviewed and considered for amendment or revision every five years.

The comprehensive plan adopted by ordinance shall constitute the master and general plan for the development of the city. The comprehensive plan shall contain the council's policies for growth, development and beautification of the land within the corporate limits and the extraterritorial jurisdiction of the city, or for geographic portions thereof including neighborhood, community or area wide plans. The comprehensive plan may include the following elements: (1) a future land use element; (2) a traffic circulation and/or mass transit element; (3) a wastewater, solid waste, drainage and potable water element; (4) a conservation and environmental resources element; (5) a recreation and open space element; (6) a housing element; (7) a public services and facilities element, which shall include but not be limited to a capital improvement program; (8) a public buildings and related facilities element; (9) an economic element for commercial and industrial development and redevelopment; (10) a health and human service element; and such other elements as are necessary or desirable to establish and implement policies for growth, development and beautification within the city, its extraterritorial jurisdiction, or for geographic portions thereof, including neighborhood, community, or area wide plans. The council may provide for financing of all elements contained in the comprehensive plan in accordance with law.

The several elements of the comprehensive plan shall be coordinated and be internally consistent. Each element shall include policy recommendations for its implementation and shall be implemented, in part, by the adoption and enforcement of appropriate ordinances and regulations governing land development, and such ordinances and regulations governing the development and use of land may be as comprehensive and inclusive as the council may, in its discretion, from time to time determine necessary, desirable and not in conflict with state or federal law.

(Amended at election held 5/3/03)

[Section] 10.03. Comprehensive Plan Adoption and Amendment.

The comprehensive plan, or elements or portions thereof, shall be prepared by personnel, and/or consultants authorized by the council, under the supervision of the city manager who shall coordinate development of the plan with the planning commission and the council. A draft of the comprehensive plan shall be submitted to the planning commission which shall hold one or more public hearings on such plan and make recommendations for the approval of the plan, with or without amendments. The planning commission shall then forward the proposed comprehensive plan or element or portion thereof to the city manager, who shall thereupon submit such plan, or element or portion thereof, to the council with the planning commission's and the city manager's recommendations thereon.

The council may by majority vote adopt a new or replacement comprehensive plan as submitted, or with changes or amendments made by the council prior to adoption, after one or more public hearings. The council shall act on such plan, element or portion thereof, within ninety (90) days following its submission. If such plan or element or portion thereof is not adopted by the council, the council shall, with policy direction, return such plan or element thereof to the planning commission, which may modify such plan or element or portion thereof, and again forward it to the city manager for submission in like manner to the council. The council may by ordinance, adopted by not less than five votes after a public hearing, amend the comprehensive plan. Amendments to the comprehensive plan may be initiated by the council, the planning commission, or the city manager; provided that all amendments shall be reviewed, considered and recommended for adoption in the same manner as for the original adoption of the comprehensive plan.

Upon the adoption of a comprehensive plan or element or portion thereof by the council, all land development regulations including zoning and map, subdivision regulations, roadway plan, all public improvements, public facilities, public utilities projects and all city regulatory actions relating to land use, subdivision and development approval shall be consistent with the comprehensive plan, element or portion thereof as adopted, except to the extent, if any, as provided by law. For purposes of clarity, consistency and facilitation of comprehensive planning and land development process, the various types of local regulations or laws concerning the alteration, development and use of land may be combined in their totality in a single ordinance or code. (Amended at election held 5/3/03)

State law reference—Adoption or amendment of comprehensive plan, V.T.C.A., Local Government Code, sec. 213.003.