



**ALTERNATIVE CITIZEN/PUBLIC PARTICIPATION GUIDELINES  
(Due to COVID-19 Pandemic Disaster Declaration)**

*Despite the necessity to restrict public access to Marble Falls Planning & Zoning Meetings in the interest of public health during COVID-19 pandemic, citizens and visitors are welcome to participate in Marble Falls Planning & Zoning Meetings in an alternative way as outlined below.*

**Instructions for Callers:**

Dial the following number:

1-346-248-7799

When your call is answered you will hear "Welcome to Zoom, enter the Meeting ID followed by pound." Enter the Meeting ID below followed by the pound sign (#).

The Meeting ID is 966-344-891

If the moderator has not started the meeting yet, you will hear "The meeting has not started yet, please hold or call back later." If you decide to call back later, please do so before 5:45 pm.

Once you have called into the meeting, your microphone will be placed on mute and your call will be placed in the call queue. At this point, you will hear silence on the phone. Please do not hang up. The moderator will unmute your microphone as he/she is going down the list. Once the meeting has started, you will be able to listen to proceedings even if your microphone is muted.

The moderator will be accepting calls starting at 5:00 pm. Please place your call before the 5:45 pm deadline to participate in order to allow time for calls to be loaded and queued. Calls made after this time will not be answered.

**Instructions for written comments:**

Written comments will be read into record, and can be provided in two different ways:

**OPTION 1 by hard copy** – Comments may be dropped off at the City Hall Utility Payments Drop-Box on the west side of City Hall by 5:30 pm the evening of the Planning & Zoning Meeting. You are required to provide your first and last name, address, and identify the item you wish to comment on.

**OPTION 2 by email** – Comments can be emailed to [kjones@marblefallstx.gov](mailto:kjones@marblefallstx.gov) and must be received by 5:30 pm the evening of the Planning & Zoning Meeting. You are required to provide your first and last name, address and identify the item you wish to comment on.

For either option, please provide **all required information** in order for your comments to be accepted. Thank you for your participation!



## **MEETING PROCEDURES DURING DISASTER PERIOD**

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, Planning & Zoning Commission, and City staff within a physical setting constitutes a public health risk. The Texas Open Meetings Act (Ch. 552, Tx. Gov't Code) does not contemplate an instance where a governing body meeting might be completely virtual to avoid further spread of COVID-19. However, on March 16, 2020, the Texas Governor suspended certain requirements of the Open Meetings Act to permit open meetings to occur in a fully virtual setting (e.g., telephonic or videoconference meeting).

Based upon the above stated concerns and actions from the state government, the Planning & Zoning Commission will temporarily hold its meetings subject to the following:

- The public, Planning & Zoning Commission, and City staff can engage in self-isolation and social distancing as recommended by the Centers for Disease Control and the State of Texas;
- The public can hear open deliberations by Planning & Zoning Commission; and
- The public can interact with the Planning & Zoning Commission during public comment.

The following provides a basic framework with which City Council will hold its meetings. Please keep in mind the following:

1. Please be patient as City staff implements the process and technology involved;
2. Understand that the process may change moving forward.
3. Should you wish to participate in the meeting, the earlier the better. Should you wish to speak to the Commission, the earlier that you can call and line-up to speak the better.

Here then is the process that the Planning & Zoning Commission will use for its meetings:

1. Any person who wishes to speak on an agenda item must call by telephone between 5:00 pm and 5:30 pm. A speaker must register with the Moderator by providing a first and last name, an address, and identify the item to address. Anyone calling after 5:45 pm will not be registered to speak. After registering, the speaker must remain on hold and the call will be muted until the appropriate time. The speaker will be able to hear the meeting. At some point, the speaker will be prompted to enter the discussion by stating your full name and address. The speaker may speak for up to three minutes. Should the speaker get disconnected, it is the speaker's responsibility to call back.
2. Any person who wishes to submit a written comment on an agenda item may do so in one of the following ways. Comments must include a name, address, and the relevant item. Comments that do not include such information will not be read.
  - a. Comments may be dropped off at the City Hall Utility Payments Drop-Box by 5:30 pm the evening of the meeting.
  - b. Alternatively, comments can be email to [kjones@marblefallstx.gov](mailto:kjones@marblefallstx.gov) and must be received by 5:30 pm the evening of the Planning & Zoning Meeting.



**NOTICE OF MEETING  
PLANNING & ZONING COMMISSION  
OF MARBLE FALLS, TEXAS  
Thursday, April 23, 2020 – 6:00 PM  
TELEPHONIC MEETING  
DIAL IN TO PARTICIPATE: 1-346-248-7799  
MEETING ID: 966 344 891**

*A quorum of the Marble Falls City Council and the Economic Development Corporation may be present.*

Fred Zagst, Chairman	Mike Hodge, City Manager
Darlene Oostermeyer, Vice-Chairman	Caleb Kraenzel, Assistant City Manager
Angela Taylor, Commissioner	Valerie Kreger, Development Svs. Director
Greg Mills, Commissioner	Scarlet Moreno, Planner
Jason Coleman, Commissioner	Vacant, GIS Analyst
Vacant, Commissioner	Patty Akers, City Attorney
Tom Martin, Commissioner	Kristen Jones, Commission Secretary

In accordance with the order of the Office of the Governor issued March 16, 2020, The City of Marble Falls Planning & Zoning Commission will meet on **Thursday, April 23 2020**, in **regular session at 6:00 p.m. in telephone conference** in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing” ) to slow the spread of the Coronavirus (COVID-19). **There will be no physical location for the meeting.** The agenda listed below is distributed to the Chair, Commission members, and the Marble Falls Public Library no later than the Monday preceding the Commission meeting. The agenda is also posted on the City’s website: [www.marblefallstx.gov](http://www.marblefallstx.gov).

The public dial-in number to participate in the meeting is 1-346-248-7799

The Meeting ID to the public meeting is 966 344 891

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meetings.

**1. CALL TO ORDER AND ANNOUNCE PRESENCE OF QUORUM**

**2. CITIZEN/VISITOR COMMENTS:** This is an opportunity for citizens to address the Planning and Zoning Commission concerning an issue of community interest that is not on the agenda. Comments on a specific agenda item must be made when the agenda item comes before the Commission. The Chair may place a time limit on all comments. Any deliberation of an issue raised during Citizen Comments is limited to a proposal to place it on the agenda for a later meeting.



**3. REGULAR AGENDA:** The Commission will individually consider and possibly take action on any or all of the following items:

**A. Discussion and Action** regarding approval of the minutes from the March 5, 2020 regular meeting.

**B. Public Hearing, Discussion and Recommendation** regarding a conditional use permit to allow for single family detached use within the Neighborhood Commercial (NC) District, Lot 1, Pleasant Valley Estates, City of Marble Falls, Burnet County, Texas. Case 2020-3-CUP. (*Greg Ritchie, owner and applicant*)

**4. UPDATES, ANNOUNCEMENTS AND FUTURE AGENDA ITEMS**

**A. Department and City Updates**

**5. ADJOURNMENT**

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“The Planning & Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including but not limited to, Sections: 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code including but not limited to, Section 321.3022 (Sales Tax Information).”

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In compliance with the Americans for Disabilities Act, the City of Marble Falls will provide for reasonable accommodations for persons attending the Commission Meetings. To better serve you, requests should be received 24 hours prior to the meeting, by contacting Kristen Jones, Development Services Technician at 830-798-7095.

**Certificate of Posting Agenda Meeting Notice**

I, Valerie Kreger, Development Services Director for the City of Marble Falls, Texas, certify this Meeting Notice was posted at the Marble Falls City Hall in a place readily accessible to the general public, on the 17<sup>th</sup> day of April, 2020, by 5:00 p.m., posted thereafter for at least 72 continuous hours before the scheduled time of said meeting.

  
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Valerie Kreger, AICP, Development Services Director



**Planning and Zoning Commission  
Agenda Item Cover Memo  
April 23, 2020**

**Agenda Item 4. A.: Approval of Minutes**  
**Presenter: Commission Secretary**  
**Requested by: N/A**  
**Case Number: N/A**

**SUMMARY**

The Commission will consider approval of the minutes from the March 5, 2020, meeting.

*(Minute attachments following this page)*

**STATE OF TEXAS  
COUNTY OF BURNET  
CITY OF MARBLE FALLS**

On this 5<sup>th</sup> day of March, 2020 the Planning and Zoning Commission convened at the regular meeting place having been posted as prescribed by law, with the following members present in accordance to-wit:

<b>MEMBERS PRESENT:</b>	Fred Zagst Darlene Oostermeyer Tom Martin Greg Mills Angela Taylor Larry Jones Jason Coleman	Chairman Vice-Chairman Commissioner Commissioner Commissioner Commissioner Commissioner
<b>MEMBERS ABSENT:</b>	None	
<b>STAFF PRESENT:</b>	Valerie Kreger Mike Ingalsbe Scarlet Moreno Thomas Crane	Development Services Director Building Official Planner Fire Marshal
<b>VISITORS:</b>	Rene Rosales	

**1. CALL TO ORDER AND ANNOUNCE PRESENCE OF QUORUM:** Chairman Zagst called the meeting to order at 6:00 pm and declared a quorum of the Commission is present to conduct the meeting.

**2. Citizens/Visitors comments to be heard for items not on the agenda:** This is an opportunity for citizens to address the Planning and Zoning Commission concerning an issue of community interest that is not on the agenda. Comments on a specific agenda item must be made when the agenda item comes before the Commission. The Chair may place a time limit on all comments. Any deliberation of an issue raised during Citizen Comments is limited to a proposal to place it on the agenda for a later meeting. There were no citizen/visitor comments.

**3. REGULAR AGENDA:** The Commission will individually consider and possibly take action on any or all of the following items:

**A. Discussion and Action regarding approval of minutes:** Minutes from the regular meeting on February 6, 2020. Commissioner Jones made a motion to approve the February 6, 2020 minutes with the following changes to the item 3.B. to correct the commissioner who made the motion and 3D add in a note stating the transaction is an exchange in property. Commissioner Mills seconded the motion. The motion carried by a vote of 7 – 0.

**B. Public Hearing, Discussion, and Recommendation** regarding zoning text amendments to the City of Marble Falls Code of Ordinances, Chapter 20, Signs, Section 20-3, Definitions, and Section 20-10, Temporary Signs; and Appendix B, Development Code, Article 3, Land Use Article 4, General Development Regulations; and Article 14, Definitions and Interpretations. Valerie Kreger, Director of Development Services addressed the Commission. The commission discussed the following:

- Temporary signs- location, setbacks, visibility, human signage and how it is being addressed
- Tiny homes- the addition of tiny homes being allowed in more districts; process in issuing Certificate of Occupancy, what standards will need to be followed to obtain a Certificate of Occupancy, the impact they will have on short term rentals
- Storage in RV parks- allow storage for propane tanks and barbeque pit type cooking facilities
- Townhouse- question on whether the code needs to state that they cannot be front loaded, clarification on definition of townhouse and condo

- Section 4.1 rewording on moving a structure, add P&Z approval for house move, and moving houses out of the floodplain

Commissioner Oostermeyer made a motion for approval of the staff recommended changes along with following:

1. Add minimum setback for feather flags from roadway to provide for sight distance;
2. Add tiny house development to the ENZ.3 and ENZ.4 districts;
3. Regarding outdoor storage at RV parks, account for barbeque pit type cooking facilities;
4. Clarify no structure older than 5 years shall be moved into or within the city limits and provide for consideration by P&Z to allow; and
5. Clarify that the townhouse product is on individual lots only.

Commissioner Taylor seconded the motion. The motion passed with a vote of 7 – 0.

#### **4. UPDATES, ANNOUNCEMENTS AND FUTURE AGENDA ITEMS**

**A.** Update regarding City Council disposition on Planning and Zoning Commission items

1. Helping Center Street Abandonment Case 2020-4-SC
2. Barker Subdivision Replat with Waiver Case 2020-1-MP

**B.** Overview of the monthly Building Permit Summary and Construction Update:

1. February Building Permit Summary

**C.** Department and City Updates

Valerie Kreger, Director of Development Services, addressed the Commission.

**5. ADJOURNMENT:** There being no further items to discuss, Commissioner Mills made a motion to adjourn the meeting. Commissioner Taylor seconded the motion. The motion carried by a vote of 7 - 0 and the meeting was adjourned at 7:25 pm.

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Fred Zagst- Chairman

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Scarlet Moreno- Planner



**Planning and Zoning Commission  
Agenda Item Cover Memo  
April 23, 2020**

**Agenda Item 4. B.:** **Public Hearing, Discussion, and Recommendation** regarding a conditional use permit to allow for single family detached use within the Neighborhood Commercial (NC) District, Lot 1, Pleasant Valley Estates, City of Marble Falls, Burnet County, Texas.

**Presenter:** **Scarlet Moreno, Planner**

**Requested by:** **City Staff**

**Case Number:** **2020-3-CUP**

**SUMMARY**

This item is for consideration of a Conditional Use Permit (CUP) to allow for single-family detached use within the Neighborhood Commercial (NC) District on Lot 1, Pleasant Valley Estates with site plan approval.

The Subject Area is a 15.83-acre tract of land on FM 1431 currently zoned as Neighborhood Commercial (NC) District. The NC district allow for Single-Family Detached use as a conditional use. City code stated that the conditional use shall be located, designed, and operated to be compatible with uses of surrounding properties and within the City. The single-family detached use requires approval of a Conditional Use Permit due to the unique characteristics which require special public review to ensure adequate mitigation of potential impacts.

The Subject Area is currently an undeveloped lot on FM 1431. The applicant is proposing to construct a single-family residence. The applicant is requesting approval based on site plan the and has not submitted proposed elevations.

Neighboring properties to the south, east, and west are zoned NC. The property to the north is zoned Farm and Ranch (FR) District. Properties to the north, east, and west are vacant lots. The use for the property to the south of the subject area is light-industrial.

Although, the Future Land Use Plan designates this property as neighborhood commercial, the adjacent properties to the north are designated as Transitional Residential and the single-family use at the proposed site does not appear to pose any unfavorable impacts on nearby uses. Furthermore, the proposed use will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

A total of 11 adjacent property owners within two hundred feet (200') of the Subject Area were mailed notification letters, including the public hearing dates and a pre-paid comment card for response supporting/opposing the proposed CUP. At the time of packet distribution one (1) property owner responded in opposed and one (1) for the CUP.

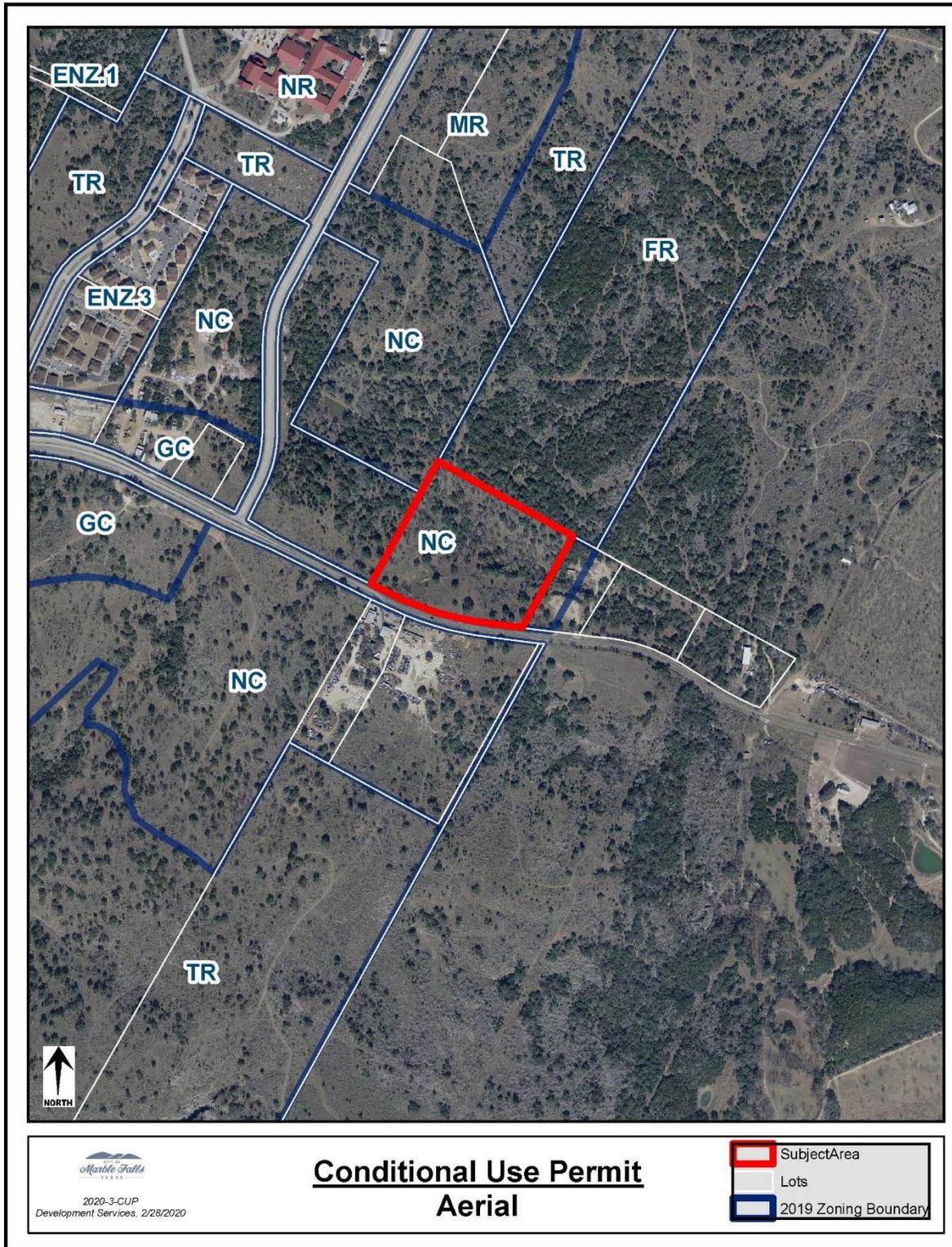


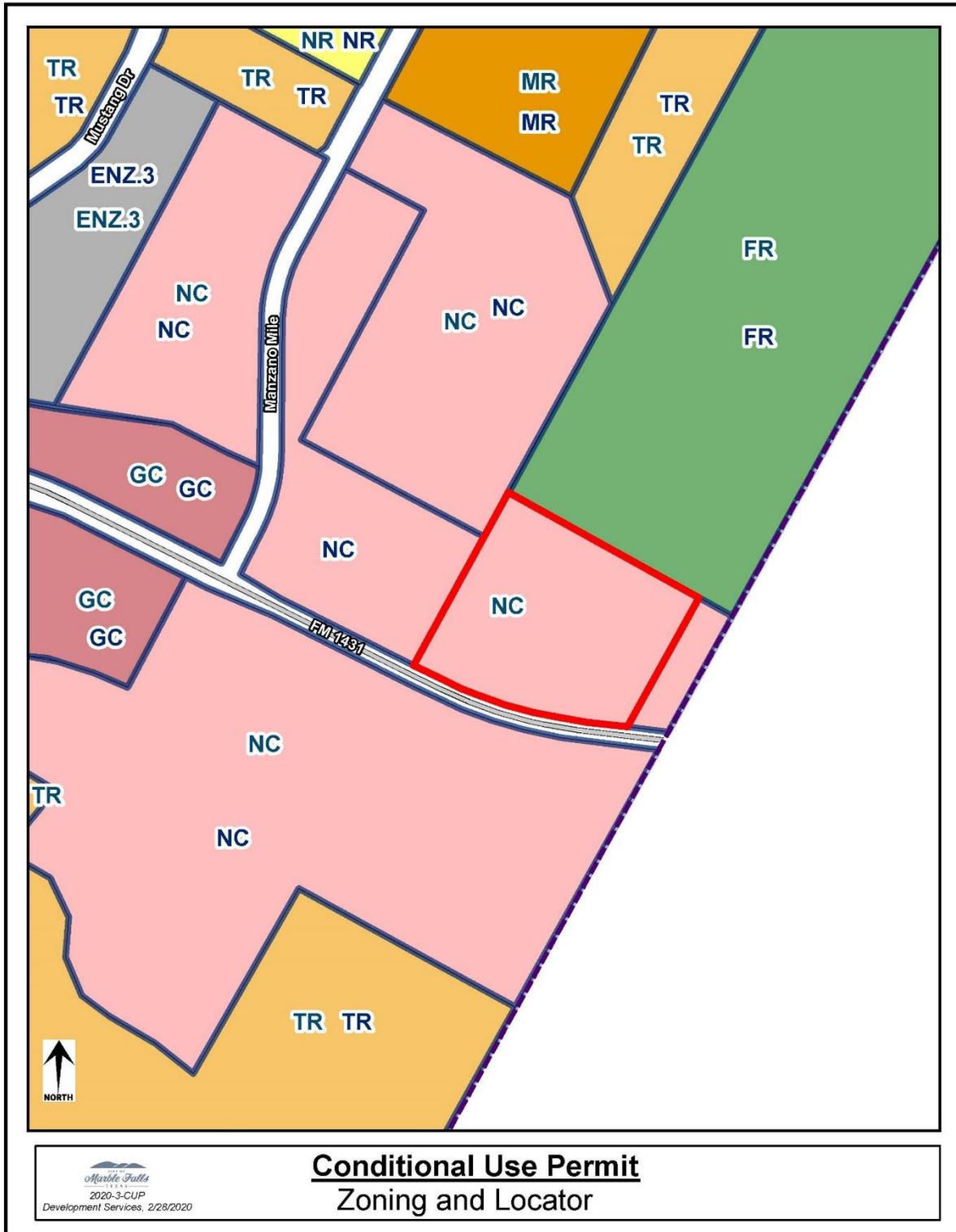
## RECOMMENDATION

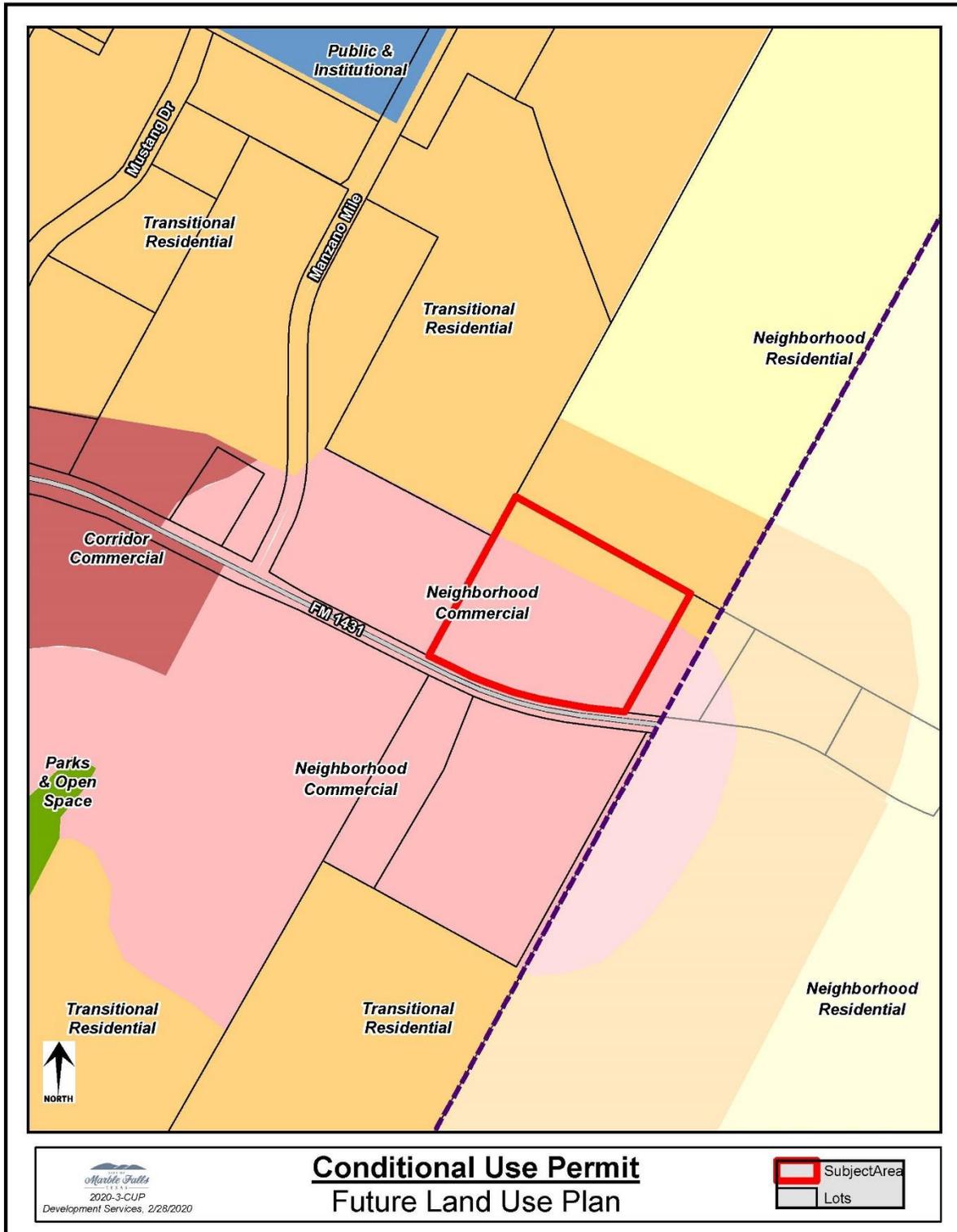
Due to compatibility with surrounding land uses, the need for diversification of City housing inventory, and site configuration meeting minimum standards for the proposed use within the property, City Staff recommends approval of the Conditional Use Permit with site plan approval.

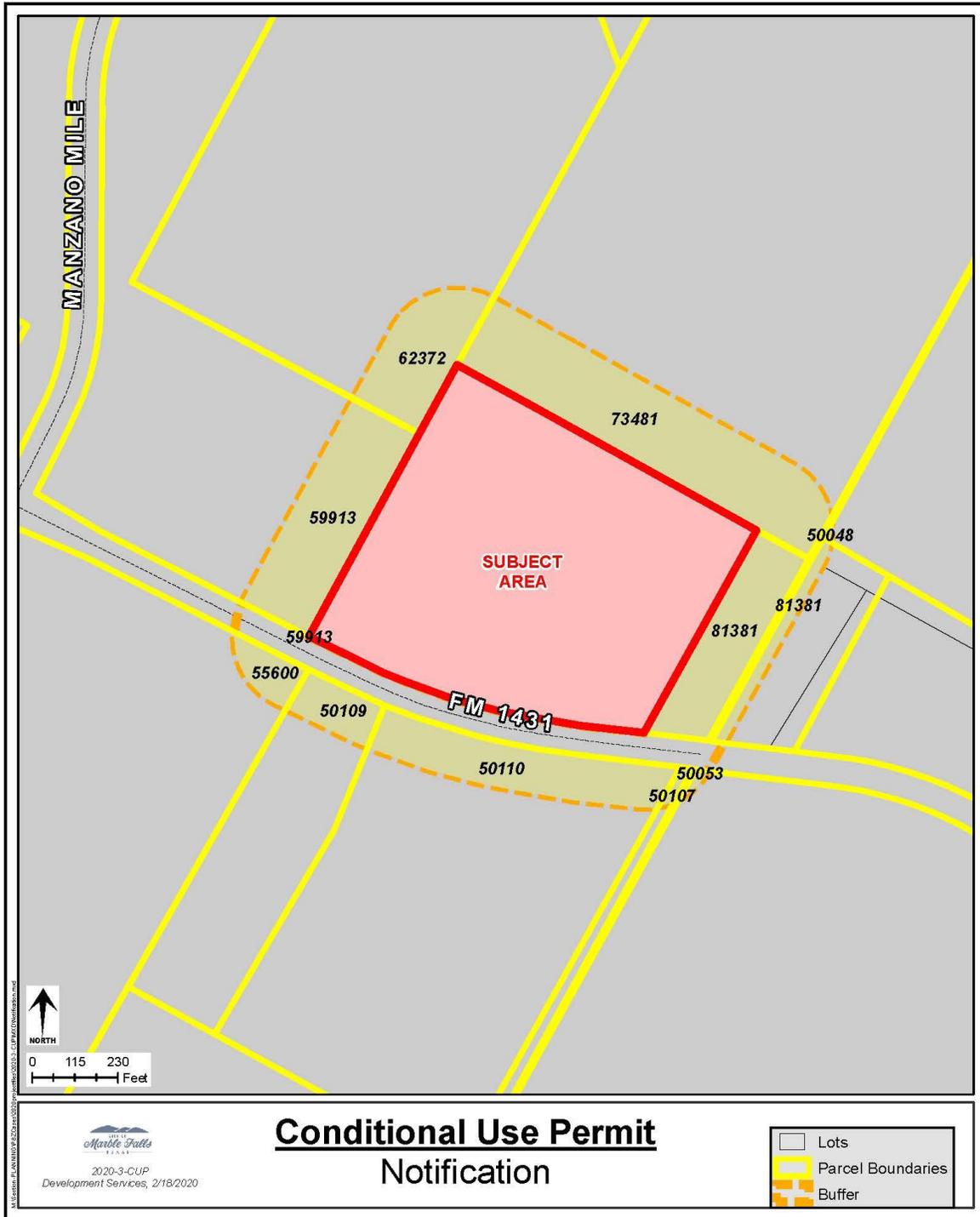
### **Memo Contents:**

- |   |       |       |
|---|-------|-------|
| • Informational maps produced by City Staff | Pages | 6 - 9 |
| • Site Plan                                 | Page  | 10    |













**Planning and Zoning Commission  
Agenda Item Cover Memo  
April 23, 2020**

**Agenda Item 4 UPDATES, ANNOUNCEMENTS AND FUTURE AGENDA ITEMS**

**A. Department and City Updates**

**Agenda Item 5.: ADJOURNMENT**