



## NOTICE OF REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BURNET, TEXAS

City of Burnet Council Chambers, Hwy 281 South, Burnet, Texas 78611

Monday, November 04, 2024 at 6:00 PM

Notice is hereby given that a **Regular Meeting of the Planning and Zoning Commission** of the City of Burnet, will be held on **Monday, November 04, 2024 at 6:00 PM** located in the City of Burnet Council Chambers located at 2402 S. Water Street (Hwy 281 South, Burnet Municipal Airport) Burnet, Texas at which time the following subjects will be discussed, to wit:

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

### 1. CALL TO ORDER:

### 2. ROLL CALL:

### 3. CONSENT AGENDA ITEMS: *All the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.*

1. Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on October 7, 2024.

### 4. PUBLIC HEARINGS AND ACTION ITEMS:

1. Public hearing and action: Ordinance No. 2024-47: L. Kimbler

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY REZONING PROPERTY KNOWN AS 902 LEWIS DRIVE, 904 LEWIS DRIVE, 906 LEWIS DRIVE, AND 908 LEWIS DRIVE FROM THEIR PRESENT DESIGNATIONS OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 1000 LEWIS DRIVE FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2; 1001 LEWIS DRIVE FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 807 MILDRED AVENUE FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 700 JANET DRIVE FROM MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”; AND 608 E WASHINGTON STREET FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”

2. Public hearing and action: Ordinance No. 2024-48: L. Kimbler

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING CITY CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") BY AMENDING SECTION 118-51 (ENTITLED "PLANNED UNIT DEVELOPMENT – 'PUD' DISTRICT"); PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

**5. STAFF REPORTS:**

1. Discuss future meeting dates

**6. REQUESTS FOR FUTURE AGENDA ITEMS:**

**7. ADJOURN**

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Burnet, is a true and correct copy of said notice and that I posted a true and correct copy of said notice on the bulletin board, in the City Hall of said City, Burnet, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on November 1, 2024 at or before 6:00 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

**Dated this the 1st day of November 2024**

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Leslie Kimbler, Assistant City Secretary

***NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:***

*The City of Burnet Council Chambers are wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be emailed to the City Secretary at [citysecretary@cityofburnet.com](mailto:citysecretary@cityofburnet.com)*



## PLANNING AND ZONING COMMISSION MINUTES

On this the 7<sup>th</sup> of **October 2024**, the Planning and Zoning Commission of the City of Burnet convened in Regular Session, at 6:00 p.m. at the City of Burnet's Council Chambers located at 2402 S Water St., Burnet, Texas 78611 at which time the following subjects were discussed:

### 1. CALL TO ORDER:

The meeting was called to order at 6:00 p.m. by Vice-Chairman Calib Williams.

### 2. ROLL CALL:

Members present: Calib Williams, Glen Teague, Derek Fortin, and Glen Gates

Members absent: None

Guests: James & Nanette Stephens

Others present: David Vaughn, City Manager, Keith McBurnett, Assistant to the City Manager, Leslie Kimbler, Planning Manager, and Bobbi Havins, Development Services Coordinator

### 3. CONSENT AGENDA ITEMS:

All the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.

- 3.1) Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on October 9th, 2024. There being no objections, Vice-Chairman Williams approved the minutes as presented.

### 4. PUBLIC HEARINGS:

- 4.1) Public Hearing and Consideration of the following: Plat applications, Zoning Amendments and Zoning Classifications presented by Leslie Kimbler, Planning Manager:
- a) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW "GASOLINE SALES AND ALCOHOL SALES" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY KNOWN AS 402 AND 404 NORTH WATER STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Applicant pulled application prior to meeting; no action was taken.

- b) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY REZONING PROPERTY KNOWN AS 101 S PIERCE STREET FROM THE PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1”; 102 S VANDEVEER STREET FROM THE PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1”; 108 S VANDEVEER STREET FROM THE PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1”; 203 E WASHINGTON STREET FROM THE PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1”; 218 E JACKSON STREET FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1”; AND 404 E JACKSON STREET FROM THE PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff’s report regarding City initiated request to amend the Zoning Map of the City of Burnet. Vice-Chairman Williams opened the public hearing at 6:04 p.m. There being no comments, Vice-Chairman Williams closed the public hearing at 6:04 p.m. Commissioner Teague made a motion to recommend approval. The motion was seconded by Commissioner Gates. The motion carried with a vote of 4 to 0. Commissioner Teague asked if any of the Churches had responded. Planning Manager, Leslie Kimbler responded that all churches had been contacted and they had no issues.

c) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY REZONING 299.86 (+/-) ACRES OF PROPERTY PREVIOUSLY KNOWN AS THE RANCH AT DELAWARE CREEK SUBDIVISION AND ASSIGNING THE DESIGNATIONS OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1”, DUPLEX – DISTRICT “R-2”, AND HEAVY COMMERCIAL – DISTRICT “C-3”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff’s report regarding the City initiated request to amend the Zoning Map of the City of Burnet. Vice-Chairman Williams opened the public hearing at 6:07 p.m. There being no comments, Vice-Chairman Williams closed the public hearing at 6:08 p.m. Commissioner Gates made a motion to recommend approval. The motion was seconded by Commissioner Teague. The motion carried with a vote of 4 to 0.

**5. STAFF REPORTS:**

Planning Manager, Leslie Kimbler, stated Assistant to the City Manager, Keith McBurnett, is continuing to work on updates to revamp our agenda and to expect more changes.

**6. REQUESTS FOR FUTURE AGENDA ITEMS:**

Commissioner Williams and Commissioner Teague asked about the water usage report. City Manager, David Vaughn, suggested setting up a meeting with the Commissioners and the City Engineer. Meeting to be scheduled at a later date.

**ADJOURN:**

There being no further business, Vice-Chairman Williams adjourned the meeting at 6:11 p.m.

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Calib Williams, Vice-Chair  
 City of Burnet Planning and Zoning  
 Commission

**Attest:** \_\_\_\_\_  
 Herve Derek Fortin, Secretary



**CITY OF BURNET**  
PLANNING & ZONING  
**ITEM BRIEF**

**Meeting Date**

November 4, 2024

**Agenda Item**

Public hearing and action: Ordinance No. 2024-47: L. Kimbler

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY REZONING PROPERTY KNOWN AS 902 LEWIS DRIVE, 904 LEWIS DRIVE, 906 LEWIS DRIVE, AND 908 LEWIS DRIVE FROM THEIR PRESENT DESIGNATIONS OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 1000 LEWIS DRIVE FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 1001 LEWIS DRIVE FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 807 MILDRED AVENUE FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 700 JANET DRIVE FROM MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”; AND 608 E WASHINGTON STREET FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”

**Information**

This request is a city-initiated request to bring the properties into compliance with the current zoning code.

In the continued effort to clean up the zoning map to ensure each property is zoned appropriately for the use of the property as well as the surrounding area, staff is bringing this request forward for consideration.

**Public Notification**

Written notices were mailed to 58 surrounding property owners within 200 feet of the subject property. There have been zero responses in opposition or favor.

**Recommendation**

Open the public hearing. At the conclusion of the public hearing, discuss and consider the draft ordinance.

**Exhibit A – Location and Current Zoning**

902 LEWIS DRIVE, 904 LEWIS DRIVE, 906 LEWIS DRIVE, 908 LEWIS DRIVE  
1000 LEWIS DRIVE, 1001 LEWIS DRIVE, 807 MILDRED AVENUE, 700 JANET DRIVE



Exhibit A – Location and Current Zoning

608 E WASHINGTON





**ORDINANCE NO. 2024-47**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY REZONING PROPERTY KNOWN AS 902 LEWIS DRIVE, 904 LEWIS DRIVE, 906 LEWIS DRIVE, AND 908 LEWIS DRIVE FROM THEIR PRESENT DESIGNATIONS OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 1000 LEWIS DRIVE FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2; 1001 LEWIS DRIVE FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 807 MILDRED AVENUE FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; 700 JANET DRIVE FROM MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”; AND 608 E WASHINGTON STREET FROM THE PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council, by the passage and approval of Ordinance No. 2021-001, affixed the zoning classifications for each and every property located within the city in accordance with the Official Zoning Map as approved with said ordinance; and

**WHEREAS**, the purpose of this Ordinance is to amend the Official Zoning Map by amending the zoning classification of the Real Property (“Property”) described herein; and

**WHEREAS**, the Planning and Zoning Commission, after conducting a public hearing on the matter, deliberated the merits of the proposed amendment of zoning classification and has made a report and recommendation to City Council; and

**WHEREAS**, in passing and approving this ordinance it is legislatively found the Planning and Zoning Commission and City Council complied with all notice, hearing and meetings requirements set forth in Texas Local Government Chapter 211; Texas Government Code Chapter 551, the City Charter; and Chapter 118, of the Code of Ordinances; and

**WHEREAS**, it is further legislatively found that this proposed zoning reclassification of property does not require an amendment to the Future Land Use Plan; and

**WHEREAS**, City Council, after considering the testimony and comments of the public, reports and recommendations of City Staff and the Planning and Zoning Commission, and the deliberation of its members, by passage and approval of this Ordinance hereby determines the action taken herein is meritorious and beneficial to the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section One. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted and made a part hereof for all purposes as findings of fact.

**Section Two. Property.** The Property that is the subject to this Zoning District Reclassification is 902, 904, 906, AND 908 LEWIS DRIVE (LEGAL DESCRIPTION: ABS A0405 JOHN HAMILTON, 0.2938 ACRES) as shown on **Exhibit “A”** hereto.

**Section Three. Zoning District Reclassification.** Duplex – District “R-2” Zoning District Classification is hereby assigned to the Property described in section two.

**Section Four. Property.** The Property that is the subject to this Zoning District Reclassification is 1000 LEWIS DRIVE (LEGAL DESCRIPTION: SHADY GROVE ESTATES, LOT 1) as shown on **Exhibit “B”** hereto.

**Section Five. Zoning District Reclassification.** Duplex – District “R-2” Zoning District Classification is hereby assigned to the Property described in section four.

**Section Six. Property.** The Property that is the subject to this Zoning District Reclassification is 1001 LEWIS DRIVE (LEGAL DESCRIPTION: LOT 12, GREEN GROVE ADDITION, SEC. 1) as shown on **Exhibit “C”** hereto.

**Section Seven. Zoning District Reclassification.** Duplex – District “R-2” Zoning District Classification is hereby assigned to the Property described in section six.

**Section Eight. Property.** The Property that is the subject to this Zoning District Reclassification is 807 MILDRED AVENUE (LEGAL DESCRIPTION: LOT 13, GREEN GROVE ADDITION, SEC. 1) as shown on **Exhibit “D”** hereto.

**Section Nine. Zoning District Reclassification.** Duplex – District “R-2” Zoning District Classification is hereby assigned to the Property described in section eight.

**Section Ten. Property.** The Property that is the subject to this Zoning District Reclassification is 700 JANET STREET (LEGAL DESCRIPTION: LOTS 102 AND 103, GREEN GROVE ADDITION, SEC. 2) as shown on **Exhibit “E”** hereto.

**Section Eleven. Zoning District Reclassification.** Neighborhood Commercial – District “NC” Zoning District Classification is hereby assigned to the Property described in section ten.

**Section Twelve. Property.** The Property that is the subject to this Zoning District Reclassification is 608 E WASHINGTON STREET (LEGAL DESCRIPTION: S7100 PETER KERR DONATION, LOT PT OF 4, BLK 9) as shown on **Exhibit “F”** hereto.

**Section Thirteen. Zoning District Reclassification.** Neighborhood Commercial – District “NC” Zoning District Classification is hereby assigned to the Property described in section twelve.

**Section Fourteen. Zoning Map Revision.** The City Secretary is hereby authorized and directed to revise the Official Zoning Map to reflect the change in Zoning District Classification approved by this Ordinance.

**Section Fifteen. Repealer.** Other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.

**Section Sixteen. Severability.** This Ordinance is severable as provided in City Code Section 1-7 as same may be amended, recodified or otherwise revised.

**Section Seventeen. Effective Date.** This ordinance is effective upon final passage and approval.

**PASSED AND APPROVED** on this the 12<sup>th</sup> day of November 2024.

**CITY OF BURNET, TEXAS**

\_\_\_\_\_  
Gary Wideman, Mayor

**ATTEST:**

\_\_\_\_\_  
Maria Gonzales, City Secretary

Exhibit "A"

Location Map

902, 904, 906, AND 908 LEWIS DRIVE



**Exhibit "B"**  
**Location Map**  
**1000 LEWIS DRIVE**



**Exhibit "C"**  
**Location Map**  
**1001 LEWIS DRIVE**

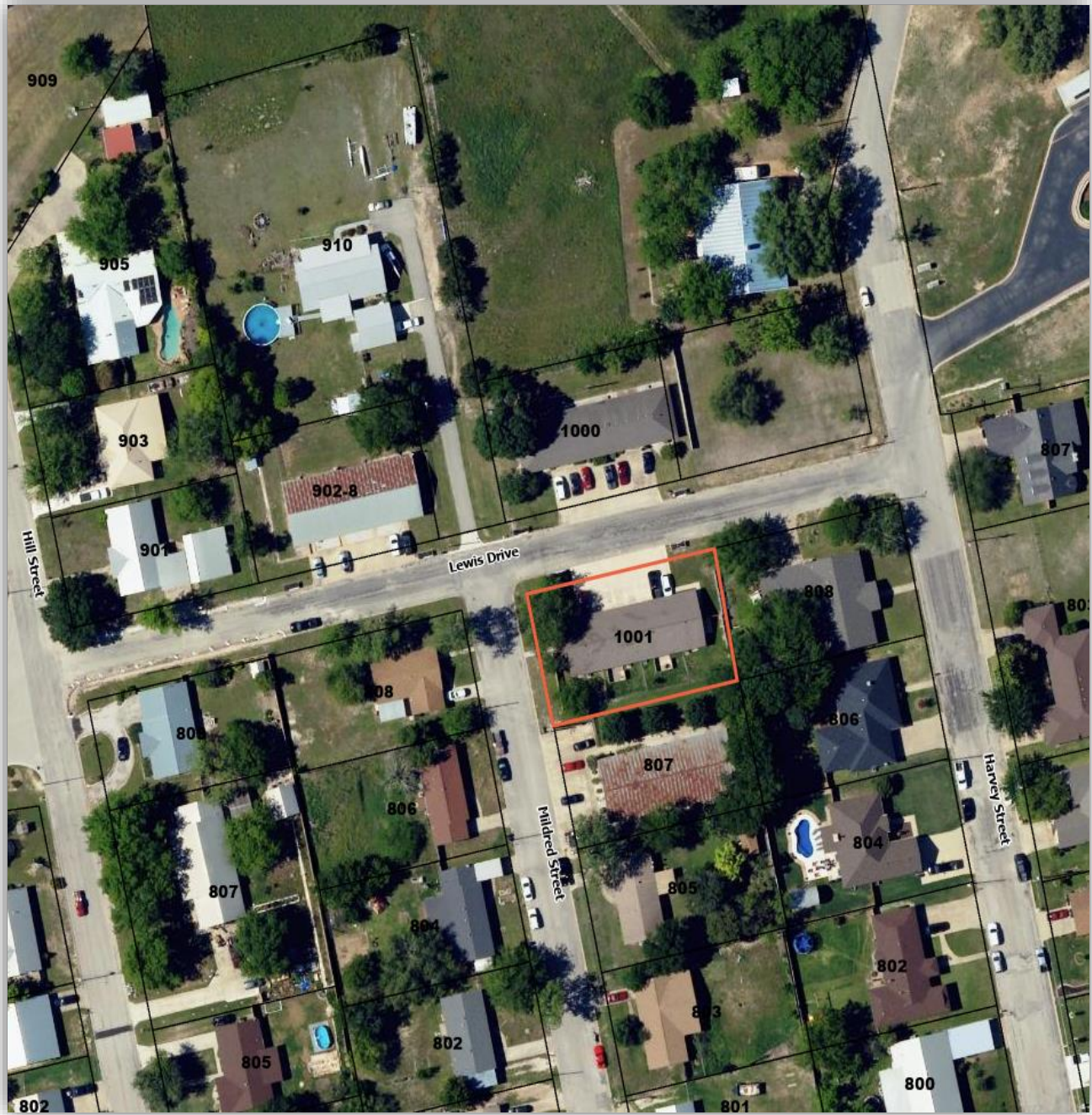


Exhibit "D"  
Location Map  
807 MILDRED AVENUE

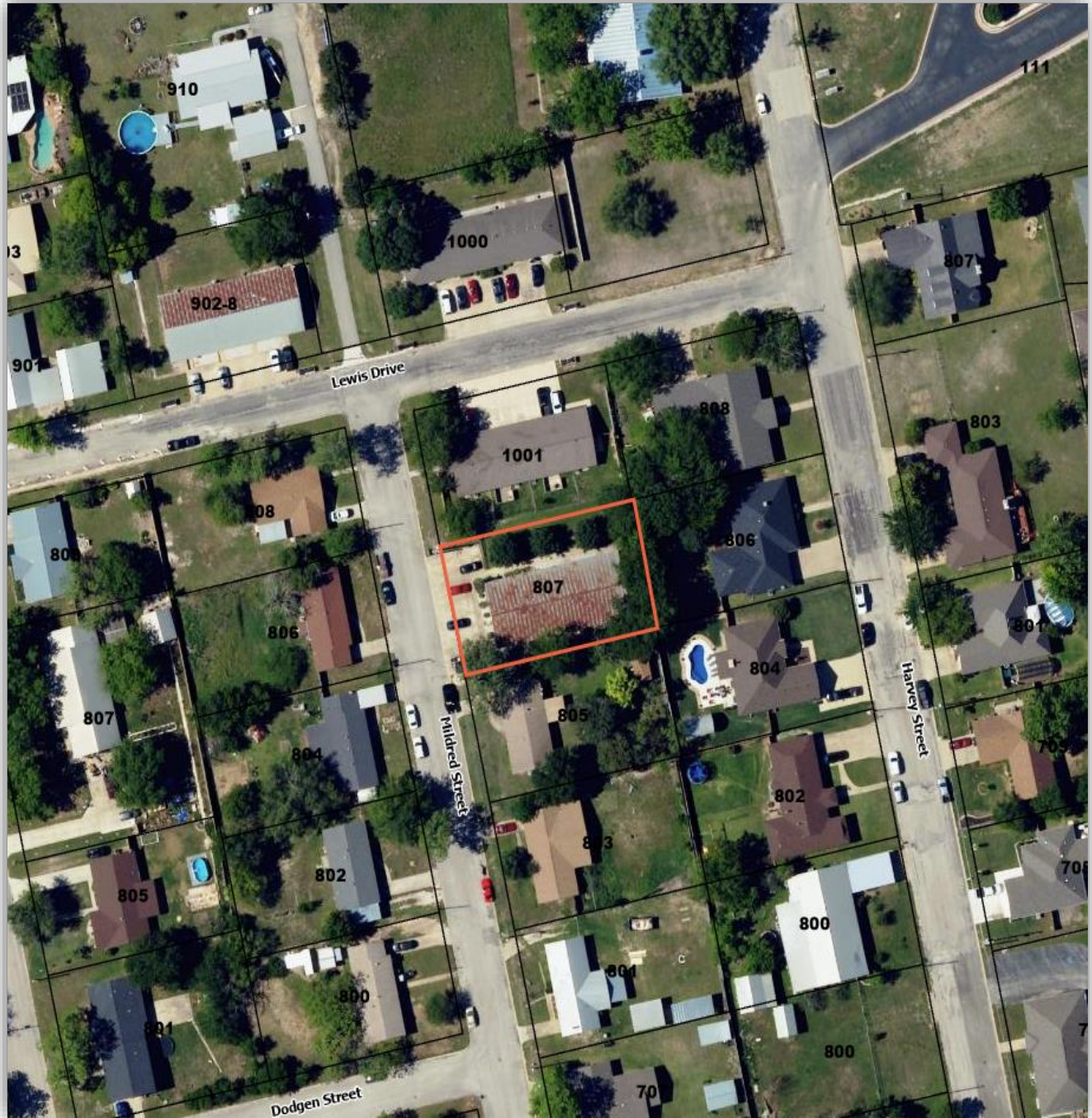
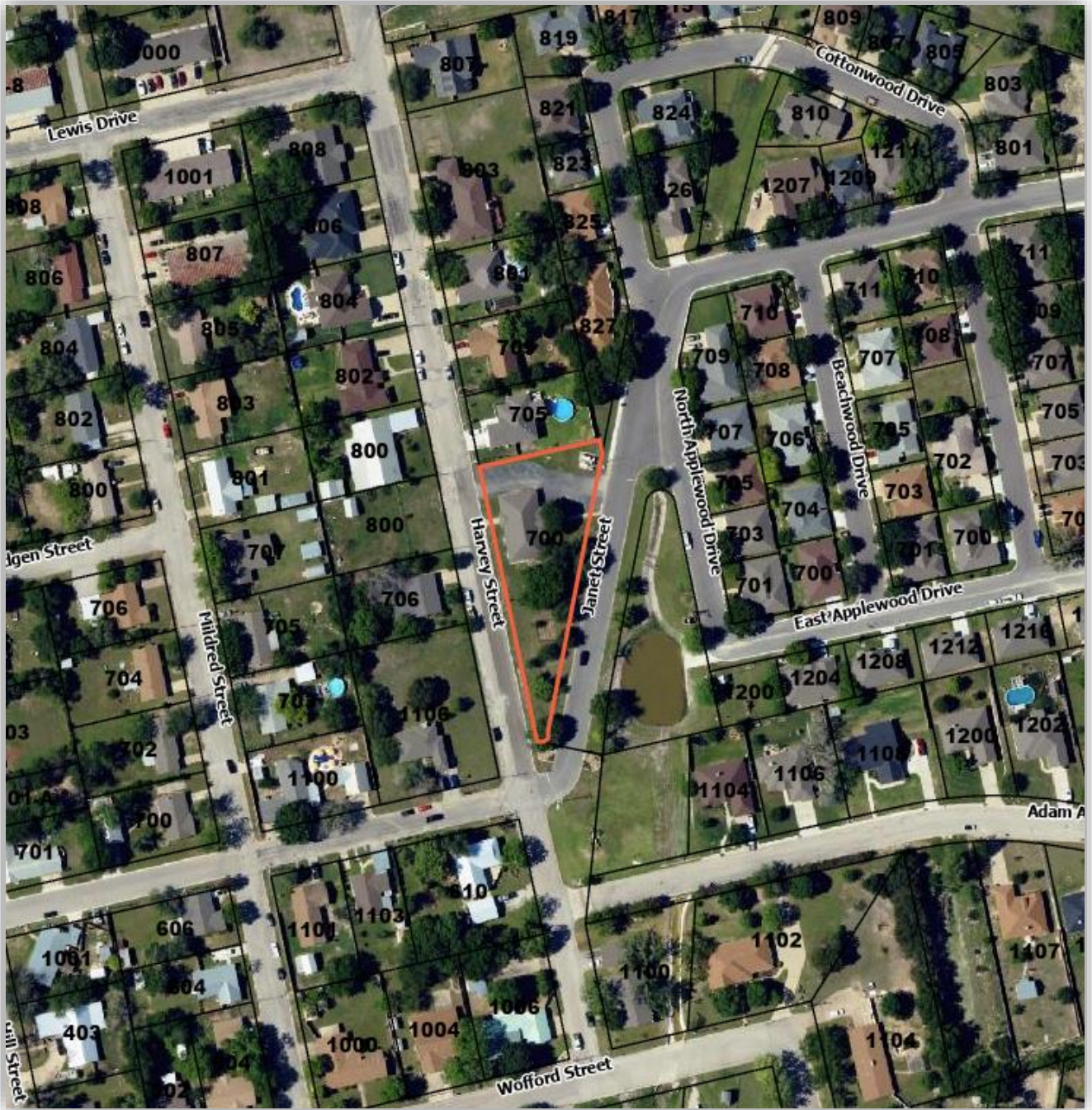
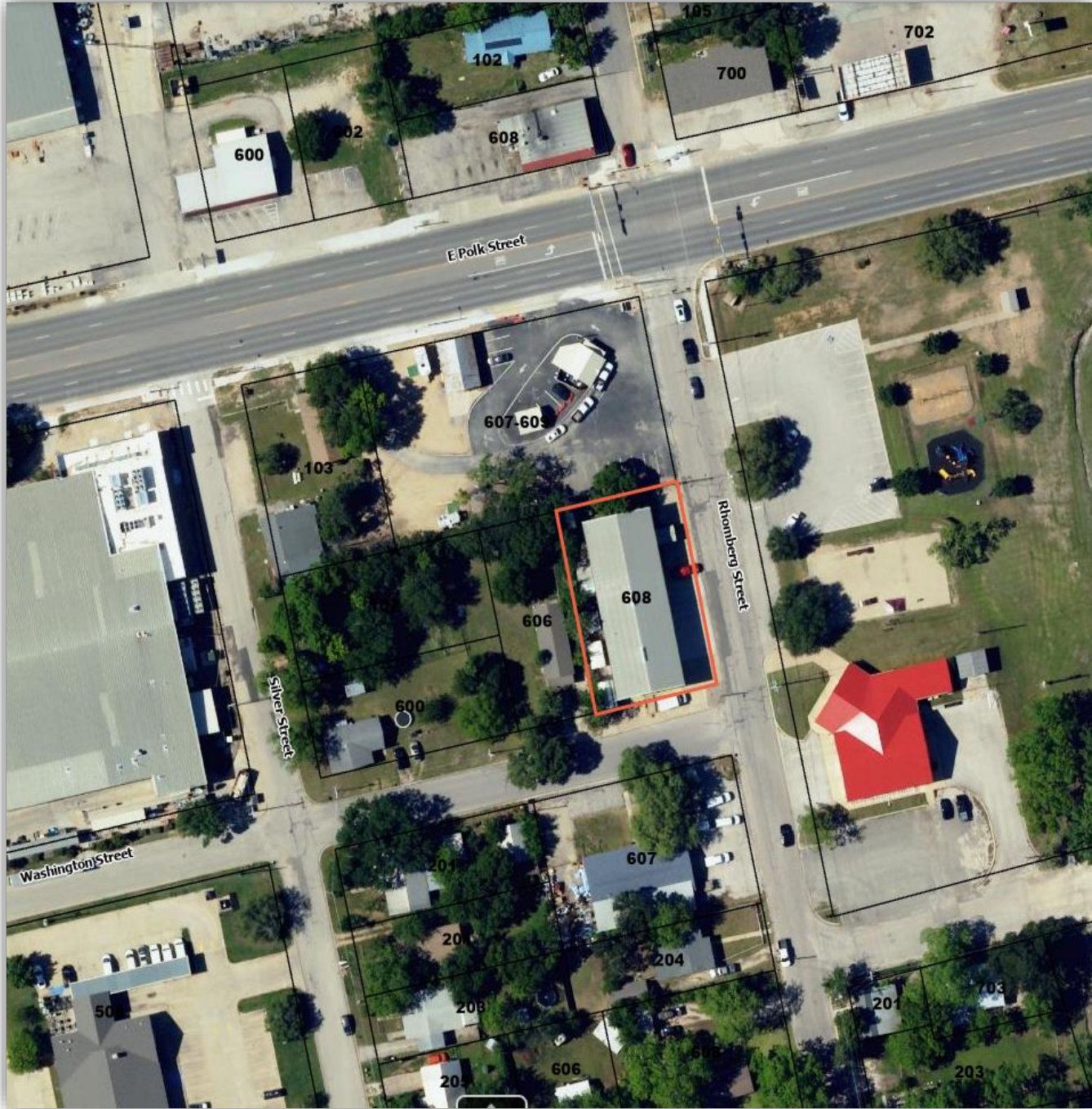


Exhibit "E"  
Location Map  
700 JANET DRIVE





**Exhibit "F"**  
**Location Map**  
**608 E WASHINGTON STREET**





**CITY OF BURNET**  
PLANNING & ZONING  
**ITEM BRIEF**

**Meeting Date**

November 4, 2024

**Agenda Item**

Public hearing and action: Ordinance No. 2024-48: L. Kimbler

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING CITY CODE OF ORDINANCES, CHAPTER 118 (ENTITLED “ZONING”) BY AMENDING SECTION 118-51 (ENTITLED “PLANNED UNIT DEVELOPMENT – ‘PUD’ DISTRICT”); PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

**Information**

Code of Ordinances, Section 118-51, establishes the Planned Unit Development “PUD” zoning district. The PUD district is a planning tool designed to allow more flexibility in land use regulations and allows the developer to use a more creative approach in developing the land. Zoning regulations may be adjusted to preserve natural features of a site, maximize the quality of the site design, and create a more compatible development with the surrounding area.

To provide greater flexibility in the utilization of the PUD as a planning tool, the proposed amendment removes the requirement that the PUD only be applied to property greater than or equal to three acres and cleans up some of the language to reflect more modern practices.

**Recommendation**

Open the public hearing. At the conclusion of the public hearing, discuss and consider the draft ordinance.

**ORDINANCE NO. 2024-48**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING CITY CODE OF ORDINANCES, CHAPTER 118 (ENTITLED “ZONING”) BY AMENDING SECTION 118-51 (ENTITLED “PLANNED UNIT DEVELOPMENT – ‘PUD’ DISTRICT”); PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, February 28, 2012, City Council adopted Ordinance No. 2012-06, establishing the Planned-Unit Development (“PUD”) zoning district; and

**WHEREAS**, City Council has determined the PUD ordinance should be amended to provide greater flexibility in its utilization as a planning tool; and

**WHEREAS**, on November 4, 2024, the Planning and Zoning Commission conducted a public hearing to receive comments and testimony on the merits of the code amendments proposed by this ordinance; and

**WHEREAS**, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation to City Council as to the merits of the proposed code amendments; and

**WHEREAS**, on November 12, 2024, City Council conducted a public hearing to receive comments and testimony on the merits of the proposed code amendments; and

**WHEREAS**, The City Council, after due consideration of the Planning and Zoning Commission recommendation; the comments and testimony of the public; and the recommendation of City staff; finds adoption of the proposed code amendments will promote the public health, safety, morals, and the general welfare; and

**WHEREAS**, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section One. Code Amendment.** The City Code of Ordinances Sec. 118-51 (entitled “Planned unit development—“PUD” district”) is hereby amended by amending

subsections (b) and (d) by adding the language that is underlined (underline) and deleting the language that is stricken (~~stricken~~) as follows:

**Sec. 118-51. Planned unit development—"PUD" district.**

- (b) *Mixed use development.* The PUD district ~~shall~~ may include and allow for compatible mixed uses such as compatible residential, commercial and/or industrial, within a single project within the boundaries of an approved plan area, in order to provide the flexibility required for a well-designed and innovative development that will conserve, develop, protect and utilize to their best use the natural resources of the area in a manner that ensures the safe, orderly and healthy development and expansion of the city. In order to promote such development, the PUD may be comprised of a combination of all the other zoning districts provided for in this chapter. The outer boundary of each such PUD zoning district shall be shown on a map. Said map will include a descriptive legend, the specific boundaries of the area proposed for use authorized for in any other zoning district and percentage of the total area of such PUD which will comprise each such separate use, and all notations, references and other information shown thereon, shall be adopted by ordinance.
- (d) *Rules applicable.* The city council, after public hearing and proper notice to all parties affected and after recommendation from the commission, may attach a planned unit development district designation to any tract of land falling under the authority of this chapter ~~equal to or greater than three acres~~. Under the planned development designation, the following rules apply:
- (1) The approval of any proposed PUD or combination of uses proposed therein shall be subject to the discretion of the city council, and no such approval will be inferred or implied.
  - (2) Permitted uses are those listed under the applicable zoning district(s) for the base zoning to be applied to the PUD (for example, the permitted uses in a PUD proposed to be developed as a retail, commercial and office development are the respective uses listed for the general retail, commercial and office districts). In addition, a planned unit development district may be established where the principal purpose is to serve as a transitional district, or as an extension of an existing district whereby the provision of off-street parking, screening walls, fences, open space and/or planting would create a protective transition between a lesser and more restrictive district. In approving a planned unit development, additional uses may be permitted, and specific permitted uses may be prohibited from the base district.
  - (3) Standards required by the base zoning apply in a planned unit development, except that when sound urban planning and good

engineering practices support a modification to the standards such standards may be expressly modified by a plan. Standards that may be modified in a plan include, but are not limited to, the following: the following regulations and standards may be varied in the adoption of the planned unit development; provided that the plan is consistent with sound urban planning and good engineering practices.

- (A) Front, side and rear setbacks.
  - (B) Maximum height.
  - (C) Maximum lot coverage.
  - (D) Floor area ratio.
  - (E) Off-street parking requirements.
  - (F) Special district requirements pertaining to the base zoning.
  - (G) Number of dwelling units per acre.
  - (H) Accessory building regulations.
  - (I) Sign standards.
- (4) In approving a planned unit development, no standards may be modified ~~unless such modification is expressly permitted by this chapter, and in no case may standards be modified~~ when such modifications are prohibited by this chapter.
  - (5) In approving a planned unit development, the city council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, light and air, orientation, type and manner of construction, setbacks, lighting, landscaping, management associations, open space and screening.
  - (6) The commission and city council, in approving modifications to standards and regulations, shall be guided by the purpose intended by the base zoning and general intent of this chapter.

Note to Editor: This amendment applies only to Subsections (b) and (d). Subsections (a), (c), and (e) through (j) shall remain in place and are unaffected by this amendment. This note shall not be published in the Code of Ordinances.

**Section Two. Findings.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section Three. Penalty.** A violation of this ordinance is unlawful and subject to City Code of Ordinances Sec. 1-6 (entitled “general penalty”).

**Section Four. Cumulative.** This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are

in direct conflict with the provisions of such Ordinances, in which event Section 5, (entitled “Repealer”) shall be controlling.

**Section Five. Repealer.** All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

**Section Six. Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section Seven. Publication.** The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

**Section Eight. Effective Date.** This Ordinance shall be effective upon the date of final adoption hereof.

**PASSED, APPROVED, AND ADOPTED** on this 12<sup>th</sup> day of November 2024

**CITY OF BURNET, TEXAS**

\_\_\_\_\_  
Gary Wideman, Mayor

**ATTEST:**

\_\_\_\_\_  
Maria Gonzales, City Secretary



# 2025 City of Burnet Planning and Zoning Meeting Calendar

## January

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 |    |

## February

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    |    | 1  |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 |    |

## March

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    |    | 1  |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 |    |    |    |    |    |

## April

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    |    | 1  | 2  | 3  | 4  | 5  |
| 6  | 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 |    |    |    |

## May

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    | 1  | 2  | 3  |
| 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

## June

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
| 1  | 2  | 3  | 4  | 5  | 6  | 7  |
| 8  | 9  | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 |    |    |    |    |    |

## July

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    |    | 1  | 2  | 3  | 4  | 5  |
| 6  | 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 |    |    |

## August

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    | 1  | 2  |
| 3  | 4  | 5  | 6  | 7  | 8  | 9  |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 |    |    |    |    |    |    |

## September

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 |    |    |    |    |

## October

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 |    |

## November

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    |    | 1  |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 |    |    |    |    |    |    |

## December

| S  | M  | T  | W  | Th | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 |    |    |    |

Planning and Zoning Commission

City Council

City Holiday