
MEETING NOTICE

The Ordinance Review Committee of the City of Woodcreek, Texas will conduct a special meeting at City Hall, 41 Champions Circle, Woodcreek, TX. The meeting will be held on October 6, 2022 at 2:30 PM.

All attendees are encouraged to wear face coverings when a minimum of six-foot social distancing cannot be maintained. Smoking is not allowed anywhere on the property of City Hall.

The public may watch this meeting live at the following link:

<https://meetings.ipvideotalk.com/210806516>. The public may listen to this meeting by dialing one of the following numbers: 1(617) 315- 8088 or toll free at 1(866) 948-0772. When prompted enter Meeting ID:210806516.

A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request. This notice, as amended, is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551).

AGENDA

CALL TO ORDER

ROLL CALL AND ESTABLISH QUORUM

PUBLIC COMMENTS

Any citizen shall have a reasonable opportunity to be heard at any and all meetings of the Ordinance Review Committee in regard to: (1) any and all matters to be considered at any such meeting, or (2) any matter a citizen may wish to bring to the Committee's attention. No member of the Governing Body may discuss or comment on any citizen public comment, except to make: (1) a statement of specific factual information given in response to the inquiry, or (2) a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting per Texas Local Government code Sec. 551.042.

Citizen comments will be allowed at the beginning of every meeting, or alternatively, before an item on the agenda on which the citizen wishes to speak is to be considered. All citizens will be allowed to comment for three (3) minutes per person and shall be allowed more time at the Chairperson's discretion. In addition, citizens may pool their allotted speaking time. To pool time, a speaker must present the names of three (3) individuals present in the audience who wish to yield their three minutes. Citizens may present materials regarding any agenda item to the City Secretary at or before a meeting, citizens attending any meeting are requested to complete a form providing their name, address, and agenda item/concern, but are not required to do so before speaking and presenting it to the City Secretary prior to the beginning of such meeting. Comments may only be disallowed and/or limited as per Government Code § 551.007(e).

Submit written comments by email to woodcreek@woodcreektx.gov by noon on the day prior to the meeting. Please include your full name, home or work address, and agenda item number. Written comments will be part of the official written record only. A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request

CONSENT AGENDA

All the following items are considered self-explanatory by the Committee and may be acted upon with one motion. There will be no separate discussion of these items unless a Committee member or Citizen so requests. For a Citizen to request removal of an item from the Consent Agenda, a written request must be completed and submitted to the City Manager.

1. Approval of the Ordinance Review Committee Meeting Minutes from September 6, 2022.

REGULAR AGENDA

2. Discuss and Take Appropriate Action on a Recommendation to the City Council for Short-Term Rental Regulations
3. Report from Sub Committees on Items Assigned from Important Woodcreek Ordinance Sheet
4. Discuss and Take Appropriate Action on Sub Committee Reports from Important Woodcreek Ordinance Sheet
5. Discuss and Take Appropriate Action on Creating a Sub Committee to Begin Work on Chapter 34 of the Code of Ordinances
6. Discussion and Possible Action on How Best to Proceed with A Full Ordinance Review Process, Moving Forward.

ADJOURN

The Ordinance Review Committee may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The City of Woodcreek is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary's Office at 512-847-9390 for information. Hearing-impaired or speech disabled persons

equipped with telecommunications devices for the deaf may call 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

I certify that the above notice was posted on the **3rd day of October at 1:45P.M.**

By: 
Suzanne J. MacKenzie, City Secretary

Chapter 156.009 Zoning Definition

Short Term Rental. A **rental** of a residential structure or part of a residential structure for fewer than 30 consecutive days.

Recommendation to Council on Short Term Rental (STR) Regulation

- 1) Set up permit process and regulations for operation for SF-4
- 2) Consider an ordinance banning STRs in SF-1 through SF-6 (with the exception of SF-4)
- 3) Any currently operating STR outside SF-4 shall be required to apply for a variance or shut down rental operations
- 4) Consider improving definitions of STR wording to prevent serial weekend renters who block 30 days but have paid renters for less than 30 days.

§ 156.062 CHART 1: RESIDENTIAL ZONING DISTRICTS.

(A) *General.*

- (1) All floor space is calculated exclusive of garage, porches, patios, driveways, terraces and other similar additions. Maximum building height for all structures is 30 feet.
- (2) Bi-level buildings shall have a minimum living area as calculated at the midpoint between the requirements of one and two stories.

(B) *Districts.*

- (1) *SF-1, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:

- (a) Minimum square feet living area:

1. One story: 1,500 square feet; and
 2. Second story: 500 square feet,

- (b) Minimum setbacks:

1. Front and back: 25 feet
 2. Interior sides: seven and one-half feet; and
 3. Side street: ten feet.

- (c) Two-car garage, not less than 400 square feet (20x20).

- (2) *SF-2, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:

- (a) Minimum square feet living area:

1. One story: 1,000 square feet:
 2. Second story: 500 square feet

- (b) Minimum setbacks:

1. Front: 25 feet;
 2. Interior sides: seven and one-half feet; and
 3. Side street: ten feet.

- (c) Two-car garage, not less than 400 square feet (20x20)

- (3) *SF-3, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:

- (a) Minimum square feet living area:

1. One story: 1,000; and
 2. Second story: 200 square feet.

- (b) Minimum setbacks:

1. Front: ten feet;
 2. Rear: 15 feet;

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- 3. Interior lot lines: zero;
 - 4. Side street: five feet.
 - (c) Two-car garage, not less than 400 square feet (20x20)
 - (4) *SF-4, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:
 - (a) Minimum square feet living area: 900;
 - (b) Minimum setbacks: zero lot lines;
 - (c) No garage required; and
 - (d) **Short-term rentals allowed.**
 - (5) *SF-5, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:
 - (a) Minimum square feet living area: 1,000;
 - (b) Minimum setbacks:
 - 1. Front: 20 feet;
 - 2. Rear: 15 feet;
 - 3. Side: seven and one-half; and
 - 4. Side street: ten feet.
 - (c) One-car garage not less than 200 square feet (10x20).
 - (6) *SF-6, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:
 - (a) Minimum square feet living area: 1,000;
 - (b) Minimum setbacks:
 - 1. Front: 25 feet;
 - 2. Rear: 25 feet;
 - 3. Side: five feet; and
 - 4. Side street: ten feet.
 - (c) Two-car garage not less than 400 square feet (20x20).
 - (7) *TH/C, Townhouse and Condominium Residence.* Multiple-dwelling units with one family per dwelling unit. Zoning can include single-family dwelling, duplex, townhouses, condominiums:
 - (a) Minimum square feet living area:
 - 1. One story: 1,000 feet; and
 - 2. Two story: 1,200 feet.
 - (b) Minimum setbacks:
 - 1. Front and back: 25 feet;
 - 2. Interior lot lines: seven and one-half feet; and
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- 3. Side street: 15 feet.
 - (c) Two-car garage not less than 400 square feet (20x20).
 - (8) *DU-1, Two-Family Duplex*. Two single-family dwelling units limited to no more than one building per lot occupied by no more than two families. Zoning can include single-family dwelling or two-family duplex:
 - (a) Minimum square feet living area per individual unit:
 - 1. One story: 1,000 feet; and
 - 2. Two story: 1,200 feet.
 - (b) Minimum setbacks:
 - 1. Front and back: 25 feet;
 - 2. Interior: seven and one-half feet; and
 - 3. Side street: 15 feet.
 - (c) One car garage not less than 200 square feet (10x20) per individual unit
 - (9) *4PLX, Four-Plex*. Four single-family dwelling units limited to no more than one building per lot occupied by no more than four families. Zoning can include single-family dwelling, two-family dwelling or four-family four-plex:
 - (a) Minimum square feet living area per individual unit: 800;
 - (b) Minimum setbacks:
 - 1. Front and back: 25 feet;
 - 2. Interior lot lines: seven and one-half feet; and
 - 3. Side street: 15 feet.
 - (c) One-car garage per individual unit not less than 200 square feet (10x20).
 - (10) *Multi-Family Residences*. (See § 156.064 of this chapter for additional information on multi-family residences.)
 - (11) *MF-1, Multi-Family Residence*. Maximum units per acre: 14.
 - (13) *MF-2, Multi-Family Residence*. Maximum units per acre: 16.
 - (14) *RR, Rural Residence District*. One-family dwelling with no more than one residence per lot occupied by no more than one family:
 - (a) Minimum lot: one acre;
 - (b) Minimum square feet living area:
 - 1. One story: 1,500; and
 - 2. Two story: 2,000.
 - (c) Minimum setbacks:
 - 1. Front and back: 25 feet;
 - 2. Interior sides: seven and one-half; and
 - 3. Side street: 15 feet.
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- (d) Two-car garage not less than 400 square feet (20x20).
- (15) *PUD, Planned Unit Development.* Planned unit development with planned diverse land uses, such as housing, recreation and shopping in one contained development, and allowing for cluster development and alternative design standards. Minimum site areas: inside City, ten acres recommended.
- (16) *MH-1, Manufactured Housing Subdivision.*
- (a) Minimum lot: 7,200 feet;
- (b) Minimum square feet living area: 1000;
- (c) Minimum setbacks:
1. Front and back: 25 feet;
2. Interior lot lines: seven and one-half feet; and
3. Side street: 15 feet.
- (d) Property and areas of the City zoned MH-1 may be planned, used, approved, platted and occupied as a manufactured housing subdivision with lots sold and conveyed to individual lot owners. Land and areas of the City zoned MH-1 and having an approved subdivision plan may be used for manufactured housing.
- (17) *Personal care facility.* See § 156.065 of this chapter.
- (Ord. 00-65N, 6-1-2005; Ord. 19-255, 3-13-2019)

IMPORTANT WOODCREEK CITY ORDINANCES

Item 3.

Refer to complete Code of Ordinances at www.woodcreektx.gov for details – this list is not exhaustive).

Construction (§151)

- Any building construction (i.e. fences, decks, expansions, sheds, walkways, roofs) requires City approval prior to construction. Applications may be obtained online.
- Construction hours are Monday – Saturday, 7 a.m. to 6 p.m.

Water Quality Protection (§50.37)

- Maximum impervious cover allowed is 30.0% - impervious cover is everything which prevents water from infiltrating into the natural soil (i.e. driveways, decks, paving blocks, sidewalks, structures).
- Max impervious cover applies in the City and ETJ (Extra Territorial Jurisdiction).

Fences (§156.030, §156.057)

- Fence materials **not** allowed are chain link, hog wire, barbed wire, mesh netting, rolled picket, and others.
- All fences require permits.

Lighting – Dark Skies (§156.041)

- All lights shall be shielded to prevent light trespass or glare and to confine the light to the owner's property.

Traffic (§156.029 and §70:IV)

- Vehicles must be parked in garages, driveways or parallel to the street with all wheels off the pavement.
- Vehicles not in operating condition may not be stored in open view for more than 7 days.
- Temporary parking of buses, commercial vehicles, trailers, boats, motor homes, RVs, campers, jet skis and the like is prohibited without a permit. Permits allow for no more than 7 days parking within a 30-day period.

Garage Sales (§156.060)

- Garage or yard sales at any location must be separated by a minimum of 6 months and last no more than 3 days.
- Street signs for a garage or yard sale must follow the sign ordinances.
- Auctions are prohibited.

Signs (§152) and Right of Way Procedures (§152.26)

- No unauthorized sign in any public right of way. No posting of signs on street signs, traffic-control signs, fire hydrants, fences, utility boxes, trees, telephone poles or any other structure in the City's right-of-way.
- Permits are needed for signs in a public right-of-way and may be obtained online. There is a limit of 72 hours of sign placement and a fee is involved.

Health and Sanitation (§95.05)

- Prohibits long-term storage of construction materials and any open storage of junk, inoperable appliances, broken furniture or trash.
- Property owners must keep dangerous vegetation under 6 inches.

Animal Control (§90.0)

- **Feeding of deer is strictly prohibited.**
- No unreasonable loud dog barking (defined as disturbing to a person in the vicinity of the dog).
- Dogs shall be kept under direct physical control of owners.
- No defecation may be left on any privately-owned lots or the golf course.
- Farm animals (for example chickens) or exotic animals may not be kept.

Fire Prevention (§93.18 and §94)

- Open burning of wood, brush or trash is prohibited at all times.
- No fireworks are allowed without a permit.

Weapons (§96.05)

- Discharge of weapons is regulated by §96.

Tree-Trimming or Pruning – Oak Wilt (§91)

- Trimming of oak trees is prohibited from February 1 to June 30. Trimming of other trees is permitted year around. A no-cost permit is required for any tree trimming.
- Specific painting procedures are required when trimming oak trees.
- Citizens must report suspected or confirmed cases of oak wilt.

Rentals (§156.062)

- Short-term rentals of your home are only permitted in zoning district SF-4.

Residential Business

- Any in-home business must comply with §156.061 and §156.80.

CHAPTER 34: EMERGENCY MANAGEMENT

§ 34.01 ORGANIZATION.

- (A) There exists the Office of Emergency Management Director of the City, which shall be held by the Mayor in accordance with state law.
- (B) An Emergency Management Coordinator may be appointed by and serve at the pleasure of the Director.
- (C) The Director shall be responsible for a program of comprehensive emergency management within the City and for carrying out the duties and responsibilities set forth in this chapter. He or she may delegate authority for execution of these duties to the Coordinator, but ultimate responsibility for such execution shall remain with the Director.
- (D) The Operational Emergency Management Organization of the City shall consist of the officers and employees of the City so designated by the Director in the Emergency Management Plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the Emergency Management Plan.

(Ord. 89-31A, 8-23-2000)

§ 34.02 EMERGENCY MANAGEMENT DIRECTOR; POWERS AND DUTIES.

The duties and responsibilities of the Emergency Management Director shall include the following:

- (A) Conduct an on-going survey of actual or potential hazards which threaten life and property within the City and an on-going program of identifying and requiring or recommending the implementation of measures which would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur;
- (B) Supervision of the development and approval of an Emergency Management Plan for the City, and shall recommend for adoption by the City Council all mutual aid arrangements deemed necessary for the implementation of such plan;
- (C) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of seven days, except by or with the consent of the City Council. Any order or proclamation declaring, continuing or terminating a local state; of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary;
- (D) Issuance of necessary proclamations, regulations or directives which are necessary for carrying out the purposes of this chapter. Such proclamations, regulations or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the City Secretary;
- (E) Direction and control of the operations of the City Emergency Management Organization as well as the training of emergency management personnel;
- (F) Determination of all questions of authority and responsibility that may arise within the Emergency Management Organization of the City;
- (G) Maintenance of liaison with other municipal, county, district, state, regional or federal emergency management organizations;

- (H) Marshaling of all necessary personnel, equipment or supplies from any department of the City to aid in carrying out of the provisions of the Emergency Management Plan;
 - (I) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the state and of other local political subdivisions of the state, and the drafting and execution, if deemed desirable, of an agreement with the county in which said City is located and with other municipalities within the county, for the county-wide coordination of emergency management efforts;
 - (J) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving emergency management within the City;
 - (K) Authorizing of agreements after approval by the City Attorney, for use of private public shelter and other purposes;
 - (L) Survey of the availability of existing personnel, equipment, supplies and services which could be used during a disaster, as provided for herein; and
 - (M) Other requirements as specified in State Disaster Act 1975 (Tex. Gov't. Code § 418.001 et seq.).
- (Ord. 89-31A, 8-23-2000)

§ 34.03 INTERJURISDICTIONAL PROGRAM.

The Mayor is hereby authorized to join with the County Judge and the mayors of the other cities in said county in the formation of an Emergency Management Council for the county and shall have the authority to cooperate in the preparation of a joint Emergency Management Plan and in the appointment of a joint Emergency Management Coordinator, as well as all powers necessary to participate in a county-wide program of emergency management insofar as said program may affect the City.

(Ord. 89-31A, 8-23-2000)

§ 34.04 OVERRIDE.

At all times when the orders, rules and regulations made and promulgated pursuant to this chapter shall be in effect, they shall supersede and override all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith.

(Ord. 89-31A, 8-23-2000)

§ 34.05 LIABILITY.

- (A) This chapter is an exercise by the City of its governmental functions for the protection of the public peace, health and safety and neither the City, the agents and representatives of said City, nor any individual, receiver, firm, partnership, corporation, association or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule or regulation promulgated pursuant to the provisions of this chapter shall be liable for any damage sustained to persons as the result of said activity.
- (B) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants to the City a license of privilege, or otherwise permits the City to inspect, designate and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending or practice enemy attack or natural or human-made disaster shall, together with his or her successors in interest, if any, not be civilly liable for the death of, or injury to, any person on or about such

real estate or premises under such license, privilege or other permission or for loss of, or damage to, the property of such person.

(Ord. 89-31A, 8-23-2000)

§ 34.06 COMMITMENT OF FUNDS.

No person shall have the right to expend any public funds of the City in carrying out any emergency management activity authorized by this chapter without prior approval by the City Council, nor shall any person have any right to bind the City by contract, agreement or otherwise without prior specific approval of the City Council unless during a declared disaster. During a declared disaster, the Mayor may expend and/or commit public funds of the City when deemed prudent and necessary for the protection of health, life or property.

(Ord. 89-31A, 8-23-2000)

§ 34.07 LIMITATIONS.

This chapter shall not be construed so as to conflict with any state or federal statute or with any military or naval order, rule or regulation.

(Ord. 89-31A, 8-23-2000)

§ 34.99 PENALTY.

- (A) It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the Emergency Management Organization in the enforcement of any rule or regulation issued pursuant to this chapter, or to do anything forbidden by any rule or regulation issued pursuant to the authority contained in this chapter.
- (B) It shall likewise be unlawful for any person to wear, carry or display any emblem, insignia or any other means of identification as a member of the Emergency Management Organization of the City, unless authority to do so has been granted to such person by the proper officials.
- (C) Any unauthorized person who shall operate a siren or other device so as to simulate a warning signal, or the termination of a warning, shall be deemed guilty of a violation of this chapter and shall be subject to the penalties imposed by this chapter.
- (D) Convictions for violations of the provisions of this chapter shall be punishable by fine not to exceed \$100.00.

(Ord. 89-31A, 8-23-2000)