



CITY OF WEST LAKE HILLS, TEXAS  
NOTICE OF CITY COUNCIL WORKSHOP  
Wednesday, September 4, 2024 at 12:00 PM

Notice is hereby given that the City Council of the City of West Lake Hills, Texas, will hold a Workshop on the 4th day of September 2024 at 12:00 noon, in the Janet Room, Municipal Building, 911 Westlake Drive, West Lake Hills, Texas, at which time the following items will be discussed, to-wit:

1. Call to Order
2. Citizen Communications The City Council welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to or discuss matters not listed on the agenda. The Council may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.
3. Administration Discussion regarding the codification process and staff recommendations.
4. Administration Discussion regarding prioritization and expectations of the City Council Focus Areas regarding compatibility standards.
5. Adjournment

Approved by: James Vaughan, Mayor

Certificate

I certify that the above Notice of the September 4, 2024 City Council Workshop was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, August 30, 2024 by 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Terry Blanchard, City Secretary

*The City of West Lake Hills is committed to compliance with the Americans with Disabilities Act. Reasonable accommodation and equal access to communications will be provided upon request.*

*All items on the agenda are for discussion and/or action. City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code 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), and 551.086 (Economic Development).*



City of West Lake Hills  
City Council

**AGENDA REPORT**

Meeting Date:	<u>9/4/2024</u>	Item Number:	<u>3</u>
Department:	<u>Administration</u>	Cost / Budget:	<u></u>
Prepared By:	<u>Trey Fletcher</u>	Source of Funds:	<u></u>
Exhibits:	<u></u>		

**Subject**

Discussion regarding the codification process and staff recommendations.

**Recommendation**

Continue to work through issues to better align the Code with changes to state statute and to provide a more organized and concise version of the Code for our citizens. Ensure that the Code is more consistent between sections and reformat the contents to provide a more “user friendly” version of the Code that enables staff and citizens to more easily find the information that is needed.

**Discussion**

In late October 2023, the City contracted with General Code for a complete recodification, including a comprehensive review and update of the 2010 Code, to include all legislation of a general and permanent nature. This process would ensure that legislation is up-to-date and is in line with Texas statutes and the current needs of our constituents, in addition to making the overall Code consistent in organization, format, style, and content.

On July 17, 2024, General Code completed their initial review of the legislation of the City of West Lake Hills code. The Editorial and Legal Analysis was prepared for City staff and contained 214 questions that were compiled during the review of the City’s legislation. These questions highlight errors, inconsistencies, and other issues that might affect the accuracy, clarity and enforceability of the City’s final code. The City had 100 days to complete the review.

Various staff members were assigned specific questions to review and update. Once completed, these updates were sent to the City Attorney on August 1<sup>st</sup> for further review of accuracy and legality. The City Attorney should complete final review and return the questions to City staff no later than September 9<sup>th</sup>. This will allow staff to make any needed revisions and respond to General Code by the September 17<sup>th</sup> deadline.

Once staff responses are complete, General Code will schedule the preparation of the Digital Final Draft which will incorporate our revisions. Within 145 days of receipt of responses to the Editorial and Legal Analysis, General Code will submit the draft to the City for final review. The City will have 45 days to complete this final review. Delivery of the final Code will be within 40 days of approval to proceed with the publication of the Code.

## Codification Items

- Include legislative changes since the last codification (2010) into the Code and verify that our Code does not contradict state law
- Modernize the Code and reduce voluminous sections where information maintained by another agency can be referenced with a link (such as TMRS info)
- Provide comprehensive information in a manner that allows the end-user ease of use. Make it easy for citizens and staff to find what they need to know in an easy-to-use format.
- Reconfigure the building and planning chapters to have similar content kept in the same location (no longer have to search multiple chapters for information on trees or fences, etc.)
- Consolidate the solicitor permit types into one section instead of listing them each separately
- Provide consistency with definitions throughout the Code as well as penalties/fees
- Remove/repeal sections that are no longer applicable
- Provide enough information without being overly specific (re: Regular Council meetings will be held on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month at 7 p.m. in the City of West Lake Hills Council Chambers ~~located at 911 Westlake Drive~~ (by removing the street address, the ordinance will not need to be amended when we move into the new building, but still provides enough information on where the meetings will be held)

## WEST LAKE HILLS

### Comments on Suggested Table of Contents

The following are comments on the suggested Table of Contents sent by the city on 12/27/2023.

The city provided a suggested Table of Contents as follows:

#### Remove titles

Chapter 1 **General Provisions** (§ 1.01.001 – § 1.08.006)

Chapter 2 **Administration and Personnel** (§ 2.01.001 – § 2.08.007) *maybe combine 1 & 2 into one chapter?*

Chapter 3 **Public Nuisance** (Chapter 12 & 24.02 & 24.04, Chapter 30 (really need to re-write section))

Chapter 4 **Health and Safety** (Chapter 10)

Chapter 5 **Animals** (§ 4.01.001 – § 4.03.051)

Chapter 6 **Business Regulations** (§ 6.02.001 – § 6.04.003)

Chapter 7 **Parks and other Public Places** *feels like this could be somewhere else since it is short*

Chapter 8 **Fire Prevention and Protection** (§ 8.01.001 – § 8.04.005)

Chapter 9 **Flood Damage Prevention** (§ 26.02.001 – § 26.02.095)

Chapter 10 **Traffic** (§ 16.01.001 – § 16.07.004)

Chapter 11 **Utilities** (§ 18.01.001 – § 18.06.048)

Chapter 12 **Streets, Sidewalks and Other Public Ways** (§ 34.01.001 – 34.06.015)

Chapter 13 **Building and Planning Administration** (Chapter 20 and Chapter 28)

Chapter 14 **Building Regulations** (§ 22.02.001 – § 22.03.585 & **24.03**)

Chapter 15 **Signs** (§ 32.01.001 – § 32.04.007)

Chapter 16 **Zoning** (§ 38.01.001 – § 38.06.131)

Chapter 17 **Subdivisions** (§ 36.01.001 – § 36.01.020)

(1) It is noted that there will be no reserved chapters and the code will not be divided into Titles I and II.

(2) It is noted that land development and building regulations are grouped the end of the code in chapters 13 through 17.

(3) Is there is an intended grouping of subject matter in chapters 2 through 12? If not, would it be appropriate to put these chapters in alphabetical order?

(4) Chapters 1 and 2: The city mentions - *maybe combine 1 & 2 into one chapter?* That can certainly be done if that is the city's preference.

(5) Chapter 3, Public Nuisances: The provisions to be included in this chapter are listed as follows:

Chapter 12 (Offenses and Additional Provisions)

Section 24.02 (Business and Residential Performance Standards)

Section 24.04 (Oak Wilt Diseased Trees)

Chapter 30 (Property Maintenance)

The city may wish to consider including existing chapter 12 (Offenses and Additional Provisions) as a separate chapter. Some of these offenses might not be considered public nuisances. This would also provide a location for future provisions that may not "fit" anywhere else in the code.

(6) Chapter 7: Parks and Other Public Places: The city mentions: *feels like this could be somewhere else since it is short*

In the current code, chapter 14, Parks and Other Public Places, contains only § 14.01.001 (Insurance required for use of public facilities). This section could be included in chapter 12, "Streets, Sidewalks and Other Public Ways" with the title of that chapter being "Streets, Sidewalks and Other Public Places". If park regulations are adopted in the future, they could be included in this chapter. Chapter 7, Parks and Other Public Places, would be eliminated.

(7) Chapter 9: Flood Damage Prevention: The flood damage regulations pertain mainly to building requirements. Possibly, this chapter might be included at the end of the code with the other development related chapters.



City of West Lake Hills  
City Council

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# AGENDA REPORT

<b>Meeting Date:</b>	<u>September 4, 2024</u>	<b>Item Number:</b>	<u>4</u>
<b>Department:</b>	<u>Administration</u> <u>Trey Fletcher</u>		
<b>Prepared By:</b>	<u>City Administrator</u>	<b>Cost / Budget:</b>	<u>n/a</u>
<b>Exhibits:</b>	<u>Presentation</u>	<b>Source of Funds:</b>	<u>n/a</u>

### Subject

Administration. Discussion regarding prioritization and expectations of the City Council Focus Areas regarding compatibility standards.

### Recommendation

Receive the presentation and provide direction as appropriate.

### Discussion

The City Council defined City Council Focus Areas at the May 24 meeting. Among them is Compatibility Standards in which the liaison is Councilmember Plunkett with staff support from Trey Fletcher and Jennifer Bills.

The staff briefing provided for this item will include a high-level summary of foundations of the City Code that relate to compatibility in the community such as zoning and land use standards originating from the City's Master Plan and subsequent amendments.

As noted in the attached presentation, a review of variances sought, approved and denied can inform how compatibility standards could be addressed in the future. However, the larger challenge is based on zoning districts lacking sufficient differentiation and consideration for existing lots smaller than one acre and larger than one acre and the contrasting contexts of each.

Related to this topic, fulfillment of an organizational strategic plan is recommended followed by updates to the City's comprehensive or master plan based on the opportunity to appropriately reflect evolved conditions throughout the community, or not, and best consider adjustments to the City Code to implement accordingly.

# City Council Focus Areas

Compatibility Standards

Staff Briefing

September 4, 2024 | Workshop



# Compatibility Standards

- Application
  - Site planning considerations
  - Community Appearance / neighborhood feel
  - Consistency of outcomes
- Objectives
  - Streamline development process where applicable
  - Better define what is desired
  - However, what are we solving for?

# Situation Analysis

- Applicable Code Sections?
  - To be defined by understanding character areas and analysis of variances approved or denied in recent years
- Related to:
  - Zoning uses and standards:
    - Setbacks
    - Fence height/placement
    - Building Height
    - Buffers
    - Special Use Permit process
  - Subdivision/Infrastructure (street character, walkability, utilities)
  - Code Enforcement / Consistency of Application
  - Recommendations from ZAPCO for zoning & subdivision related sections, some directly to City Council for approval

# Compatibility Standards

## Opportunities

- Improvements to achieve desired outcomes
- Efficiency gain for applicant and staff
- Administrative approvals
- Update city's Master Plan to validate or amend
  - Implementation through Code analysis related to existing conditions
  - Better differentiate small vs large lots (new / amended zoning district(s))

## Challenges

- Legislative constraints
- Notification requirements
- Managing community expectations
- Unintended outcomes

# Low-hanging Opportunities

- Application and Permit deadlines
  - How long to start after permit is issued
  - Definition of “start of project”
  - How long with no activity
- Encroachments into setbacks
  - Mechanical equipment
  - Generators
  - Eaves and overhangs
  - Pool equipment?
- Certification of Occupancy/Completion
  - Definition
  - Process
- Fee Schedule Update

# Next Steps

- Input from City Council - Areas identified for review
- Minor/Process Amendments
  - Staff to research and draft language/ordinance
  - Process changes to City Council
  - Setback/Site disturbance – Recommendation by ZAPCO
    - Approval to City Council
- Staff create list of code section recommendations
  - More research needed for recommendation
  - Public input needed