



**PLANNING & ZONING COMMISSION REGULAR MEETING  
TUESDAY - MAY 2, 2023 - 6:30 PM**

**Notice of AGENDA**

**Council Chamber at Municipal Court - 2801 Ranch Road 1869, Liberty Hill,  
Texas**

<b>Bryan Rivera</b> <b>Steve Messana</b>	<b>Chad Cormack</b> <b>Diane Williams</b>
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**1) CALL TO ORDER**

- a) Establish Quorum**
- b) Invocation**
- c) Pledge of Allegiance**

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with Liberty and Justice for all."

**d) Texas Pledge**

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

**2) PUBLIC COMMENTS**

Public Comments are welcome. You may submit Public Comments in person, or you may submit to the City Secretary at [esimpson@libertyhilltx.gov](mailto:esimpson@libertyhilltx.gov) before 3:00 PM the day of the meeting.

**3) PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the City of Liberty Hill has been asked to review and approve the following application(s), to wit:

**a)**

Discussion, consideration, and recommendation to the City Council on a request to amend Section 6.11.05 and 8.02 to the Unified Development Code (UDC) for the City of Liberty Hill to amend the threshold requirement for a Traffic Impact Analysis (TIA).

City Council will hold a public hearing on this matter on May 10, 2023 at 6pm at 2801 Ranch Rd 1869, Liberty Hill, TX 78642.

- i.) Introduction and staff report.
- ii.) Hold a Public Hearing.
- iii.) Recommendation regarding requested variance.

[TIA P&Z Staff Report.pdf](#)

[TIA Ordinance v2 Redline.pdf](#)

[TIA Orinance v3 Clean.pdf](#)

#### 4) REGULAR AGENDA

- a) Receive an update and possible discussion of the Boards & Commission coordination meeting from Vice Chair Cormack.
- b) Discussion, consideration, and possible recommendation to City Council on filling the Commission vacancy of Commissioner Mathiasen.

[Applicant List.pdf](#)

#### 5) DIRECTOR OF PLANNING AND DEVELOPMENT COMMENTS:

Items for a future agenda may be identified and scheduled. There can be no deliberation or action taken on these items.

#### 6) ADJOURNMENT

The City Council, Boards, and Commissions reserve the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting, prior to adjournment, to discuss any item listed above, as authorized by Texas Government Code Section §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 §551.087 (Development). In compliance with the Americans with Disabilities Act, the City of Liberty Hill will provide reasonable accommodation for persons attending meetings. To better serve you, requests need to be received 48 hours prior to the meeting. Contact the City Secretary at 512-778-5449 – Extension 125.

**POSTING CERTIFICATION:** I, ELAINE SIMPSON – CITY SECRETARY – CITY OF LIBERTY HILL certify that the attached notice of meeting was duly posted on the bulletin board at City Hall located at 926 Loop 332, Liberty Hill, Texas 78642 and on the City website ([www.libertyhilltx.gov](http://www.libertyhilltx.gov)) on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_ at \_\_\_\_\_. Elaine Simpson – City Secretary.

**REMOVAL CERTIFICATION:** I ELAINE SIMPSON – CITY SECRETARY – CITY OF LIBERTY HILL certify that the attached notice of meeting was removed from the bulletin board at City Hall located at 926 Loop 332, Liberty Hill, Texas 78642 on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_ at \_\_\_\_\_.  
INITIALS \_\_\_\_\_



**PLANNING AND ZONING COMMISSION  
PLANNING & ZONING COMMISSION  
REGULAR MEETING  
TUESDAY - MAY 2, 2023  
2801 Ranch Road 1869 - Liberty Hill**

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## **AGENDA ITEM 3.a**

**Discussion, consideration, and recommendation to the City Council on a request to amend Section 6.11.05 and 8.02 to the Unified Development Code (UDC) for the City of Liberty Hill to amend the threshold requirement for a Traffic Impact Analysis (TIA).**

**City Council will hold a public hearing on this matter on May 10, 2023 at 6pm at 2801 Ranch Rd 1869, Liberty Hill, TX 78642.**

- i.) Introduction and staff report.**
- ii.) Hold a Public Hearing.**
- iii.) Recommendation regarding requested variance.**



## Planning and Development Department Planning and Zoning Commission

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**To:** City of Liberty Hill Planning and Zoning Commission

**Subject:** Discussion, consideration, and recommendation to the City Council on a request to amend Section 6.11.05 and 8.02 to the Unified Development Code (UDC) for the City of Liberty Hill to amend the threshold requirement for a Traffic Impact Analysis (TIA).

**Meeting:** May 2, 2023

**Staff:** Jerry L. Millard, Jr., Director of Planning

### **BACKGROUND INFORMATION:**

#### **Summary of Request**

City Council has asked legal to review the threshold requirements for a TIA. The attached redline document and proposed ordinance is what was created by the City's legal consultant to address the Council's request to lower the trip generation threshold that triggers the TIA requirement and adding requirements specifically for the Liberty Hill Independent School District and any development they conduct.

### **PUBLIC NOTIFICATION:**

According to Table 3-3: Summary of Required Notice, under Section 3.06.01 of the UDC, notice for Unified Development Code Text Amendment is required to be posted. A public hearing on this code amendment will be held on May 10<sup>th</sup> at City Council.

### **RECOMMENDATIONS:**

The Planning and Zoning Commission may:

- Recommend disapproval of the request to amend Section 6.11.05 & 8.02.
- Recommend changes the proposed changes of Section 6.11.05 & 8.02.
- Recommend approval of the request to amend Section 6.11.05 & 8.02.

Staff recommends recommending approval of the Unified Development Code Text Amendment to City Council as presented.

### 6.11.05 Threshold of Requirement

- A. The threshold requirement for a Traffic Impact Analysis (TIA) shall be a development ~~or combination of developments~~ that would result in trip generation of more than an average of one thousand (1,000) trips per day based upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. If the proposed development does not exceed the threshold, a TIA waiver shall be noted on the TIA Determination Worksheet. If the TIA threshold is exceeded, the applicant shall be so advised on the TIA Determination Worksheet and referred to the City Administrator or his designee for consultation concerning the preparation of a TIA.

TIA's shall be required if the if the threshold is met for an individual project or projects on abutting parcels under common ownership or a common plan of development. Where property is part of a common plan of development or common ownership, the completed TIA shall incorporate any existing, approved TIA's within the common plan area. The Planning and Zoning Commission by a majority vote shall have the authority to require a TIA to previously approved developments where existing conditions would warrant a TIA or when needed to address public concerns expressed in a public meeting.

A TIA scoping meeting with City staff, as well as TxDOT or Williamson County if required, shall be required prior to initiation of the traffic study.

- B. The threshold requirement for a TIA for properties located in the downtown area, bounded by the approved Downtown Map, shall be a development that would result in a trip generation of more than an average of five hundred (500) trips per day based upon the latest edition of the ITE Trip Generation Manual.
- C. A Neighborhood Traffic Analysis (NTA) shall be required for developments taking access from residential public streets that would result in a trip generation of more than an average of five hundred (500) trips per day based upon the latest edition of the ITE Trip Generation Manual or if the application is for a public or private primary, intermediate, or secondary educational facility. If the development is related to the construction of new campus or facility, or the updating of existing public or private primary, intermediate, or secondary educational facilities and the expected increase in student population is expected to be fifteen percent (15%) or more of the current student population on said campus or facility, it is assumed that the development will result in a trip generation on more than an average of five hundred (500) trips and a TIA is required.

### 8.02 Definitions

Brother-sister group means a group of two (2) or more organizations where the same five (5) or fewer common owners own a controlling interest in each group and taking into account the ownership of each common owner only to the extent ownership is identical with respect to each organization, the common owners are in control of more than fifty (50) percent of each organization.

Common ownership shall mean owned by the same person or owned by persons within a parent-subsidiary group, brother-sister group, or a combination of those groups subject to the constructive ownership and attribution rules located in the Internal Revenue Code, I.R.C. § 1563(e).

Common plan of development shall mean a construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development (also known as a "common plan of development or sale") is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities. A common plan of development does not necessarily include all construction projects within the jurisdiction of a public entity (e.g. a City or County). Construction of roads or buildings

in different parts of the jurisdiction would be considered separate "common plans," with only the interconnected parts of a project being considered part of a "common plan" (e.g. a building and its associated parking lot and driveways, a building complex, etc.). Where discrete construction projects occur within a larger common plan of development or sale, but are located one-half (1/2) mile or more apart, and the area between the projects is not being disturbed, each individual project can be treated as a separate plan of development or sale, provided that any interconnecting road, pipeline or utility project that is part of the same "common plan" is not included in the area to be disturbed.

*Neighborhood Traffic Analysis (NTA)* shall mean a traffic impact analysis for developments taking access from public streets that would result in a trip generation of more than an average of five hundred (500) trips per day based upon the latest edition of the ITE Trip Generation Manual or more net new daily vehicle trips or if the application is for a public or private primary, intermediate, or secondary educational facilities.



**CITY OF LIBERTY HILL**

**Traffic Impact Threshold Requirements**

**ORDINANCE NO. 23-O- \_\_\_\_**

**AN ORDINANCE OF THE CITY OF LIBERTY HILL, TEXAS AMENDING THE CITY’S UNIFIED DEVELOPMENT CODE (UDC), CHAPTER 6, SITE DEVELOPMENT AND DESIGN STANDARDS, SECTION 6.11, ASSESSMENT AND IMPROVEMENT OF TRANSPORTATION NETWORK, ARTICLE 6.11.05, TRAFFIC IMPACT ANALYSIS; AND CHAPTER 8, APPENDIX: REFERENCES AND DEFINITIONS, ARTICLE 8.02, DEFINITIONS, SECTION 8.02.01, DEFINITIONS; AND PROVIDING FOR FINDINGS OF FACT; PROPER NOTICE AND HEARING; ENACTMENT; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.**

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or regulation that is for the good of the government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City of Liberty Hill (the “City”); and

**WHEREAS**, the City has an interest in regulating the traffic within its jurisdictional area and has the obligation to provide for an adequate roadway network, with adequate capacity streets; and

**WHEREAS**, the City has an interest in amending its ordinances as may be necessary to accommodate the continuing growth and development of the City and its jurisdictional area; and

**WHEREAS**, the City’s ordinances require that development impacts are mitigated through contributions or improvements to existing and new roadways, and that new developments contribute their fair share of the costs of needed transportation improvements; and

**WHEREAS**, Section 6.11.04 of the UDC provides that the requirement for assessment of and improvements to the transportation network applies to existing and future transportation networks associated with land development activities, within the City limits, and within the City’s extraterritorial jurisdiction; and

**WHEREAS**, the Planning and Zoning Commission (Commission) met in a regular meeting on May 2<sup>nd</sup>, 2023, and conducted a public hearing on this matter, after which the Commission recommended **approval** of the Unified Development Code Text Amendment to the City Council by a vote of **\_\_\_\_\_ to \_\_\_\_\_**; and

**WHEREAS**, the City Council conducted a public hearing on May 10<sup>th</sup>, 2023 to consider the Commission’s recommendation as well as public comment.

**WHEREAS**, the City Council of the City of Liberty Hill, Texas finds that it is necessary and proper for the good government, peace, and order of the City to amend this ordinance.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Liberty Hill, Texas:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**2. ENACTMENT**

Chapter 6, Article 6.11, Section 6.11.05 and 8.02 of the City of Liberty Hill Uniform Development Code is hereby amended to read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**3. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**4. CODIFICATION**

The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City’s Code of Ordinances.

**5. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon passage and publication of caption.

**6. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, and Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED & APPROVED this 10<sup>th</sup> day of May 2023, by a vote of \_\_\_\_ (eyes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of Liberty Hill, Texas.**

**CITY OF LIBERTY HILL**

\_\_\_\_\_  
Elizabeth Branigan, Mayor

**ATTEST:**

\_\_\_\_\_  
Elaine Simpson, City Secretary

# **ATTACHMENT A**

## **Section 6 Site Development and Design Standards**

### **Article 6.11 Assessment and Improvement of Transportation Network**

#### **Section 6.11.05 Threshold of Requirement**

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## Section 8 Appendix: References and Definitions

### Article 8.02 Definitions

#### Section 8.02.01 Definitions

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## **AGENDA ITEM 4.a**

Receive an update and possible discussion of the Boards & Commission coordination meeting from  
Vice Chair Cormack.



**PLANNING AND ZONING COMMISSION  
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## **AGENDA ITEM 4.b**

**Discussion, consideration, and possible recommendation to City Council on filling the Commission vacancy of Commissioner Mathiasen.**

<b>Name</b>	<b>Address</b>	<b>City/ETJ/ISD</b>	<b>Application Date</b>
Foster, Stephen	129 Tandra Lea Lane, LH, TX 78642	ETJ/ISD	3.13.2023
Novo, Sarah	116 Shady Oaks Trail, LH, TX 78642	ISD	3.27.2023
Brian Williams	121 Gabriel's Loop	ETJ	1.6.2023