

**CITY OF BRENHAM  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION  
JOINT MEETING (TRAINING) MINUTES**

**May 13, 2024**

*The meeting minutes herein are a summarization of meeting proceedings, not a verbatim transcription.*

A special joint meeting (Training) with the Board of Adjustment and Planning and Zoning Commission was held on May 13, 2024, in the Roberta C. Johnson Program Room of the Nancy Carol Roberts Memorial Library, located at 100 Martin Luther King, Jr. Parkway, Brenham, Texas.

BOA Commissioners present:

Jon Hodde, Chairman  
Dax Flisowski  
Arlen Thielemann  
Mary Lout Winkelmann  
Walt Edmunds (alternate)

P & Z Commissioner present:

Chris Cangelosi  
Darren Heine  
Calvin Kossie  
Cyndee Smith

Commissioners absent:

Danny Goss (BOA)  
M. Keith Behrens (PZ)  
Dr. Deanna Alfred (PZ)  
Cayte Neil (PZ)

City Councilmembers present:

Clint Kolby  
Paul LaRoche

Staff present:

Stephanie Doland, Development Services Director  
Carolyn Miller, City Manager  
Shauna Laauwe, City Planner  
Allen Jacobs, Building Official  
Cody Sorensen, Building Inspector  
Richard J. O'Malley, Director of Engineering  
Kim Hodde, Planning Technician

Citizens present:

Kimberley Mickelson, JD, AICP (Speaker)

**1. Call Meeting to Order**

Stephanie Doland called the meeting to order at 11:00 a.m. with a quorum of five (5) Board of Adjustment members and four (4) Planning and Zoning Commissioners present.

**2. Public Comments**

There were no public comments.

**WORKSHOP AGENDA**

**3. The Planning and Zoning Commission and Board of Adjustment will enter into a Training Session by Kimberley Mickelson, JD, AICP**

Stephanie Doland introduced the speaker, Kim Mickelson, FAICP, JD, who is an Attorney, Planner, and Adjunct Professor of Practice. Ms. Mickelson presented the agenda of her presentation entitled “City of Brenham Planning and Zoning Basics” that included topics such as:

#### Legal Constraints and Major Statues

- Texas Open Meetings Act – Texas Government Code 551
- Texas Public Information Act – Texas Government Code 552
- Local ethic rules and behavior
- Conflict of interest

#### Texas Local Government Code – Planning Enabling Legislation

- Chapter 211 – Municipal Zoning Authority
- Chapter 212 – Municipal Regulation of Subdivisions
- Chapter 213 – Municipal Comprehensive Plan

#### Basic Land Use Planning Principles

- Participants in Land Development
- Land development processes
- Comprehensive Plan
- Zoning changes and the Future Land Use Plan
- Special Overlay Districts
- Subdivision plats and requirements
- Short term vs long term planning decisions
- Potential Problems (Spot zoning, “takings” issues, and exclusionary zoning).
- City Limits vs Extraterritorial Jurisdiction
- Gated Communities, Private Streets
- Impact Fees/Pro-Rata Charges
- Nonconforming Uses/Structures
- Park Dedication or Fees-in-lieu of dedication
- Vested rights/permit processing law
- State Legislature changes to local authority
- Next Layer of Implementation Tools (Overlay Districts, Planned Development Districts, Special Districts, Development Agreements).

#### Goals for Land Use Design

- To make reasoned decisions that will provide the best growth and development plans for the public and the overall community in the long term.
- To make those decisions in accordance with all applicable laws and due process.
- To make long-ranging decisions.
- To avoid headlines and the courthouse.

#### Zoning Standards and Application

- What IS Zoning?
- History of Zoning
- How can a City implement zoning/regulation of use?
- Zoning: A Tool to Enforce the Comprehensive Plan
- Components of Zoning (Zoning Text and Official Zoning Map)
- Elements of a Basic Zoning Ordinance.
- What to think about when you think about Zoning decisions.

#### Subdivision Regulations and Purpose

- Raw land into buildable lots
- Requirements for public infrastructure improvements

- Standards for land development (i.e. lot size)
- Procedures for submittal, review and approval
- Lasting impact on community design and character
- Relation to Comprehensive Plan
- Types of Plats

Duties and responsibilities of Board members and Commissioners

- Duties of the Board of Adjustment
- Duties of the Planning and Zoning Commission
- Duties of City Council
- Duties of the City Staff
- Suggestions for Effective Decision Making on Planning Issues

A copy of the presentation is on file in the Development Services Department and will be emailed to all participants.

**4. Adjourn**

Stephanie Doland adjourned the meeting at 1:04 pm.

*The City of Brenham appreciates the participation of our citizens, and the role of the Board of Adjustment Members in this decision-making process.*

Certification of Meeting Minutes:

<p><i>M. Keith Behrens</i>  <hr/>         Planning and Zoning Commission</p>	<p><u>M. Keith Behrens</u>          Chairman</p>	<p><u>June 17, 2024</u>          Meeting Date</p>
<p><i>Kim Hodde</i>  <hr/>         Attest</p>	<p><u>Kim Hodde</u>          Staff Secretary</p>	<p><u>June 17, 2024</u>          Meeting Date</p>