



City of Garden Ridge

"A way of life, not just a place to live"

AGENDA PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, AUGUST 13, 2019, 6:00 P.M.

The Garden Ridge Planning and Zoning Commission will meet in a regular session on Tuesday, August 13, 2019, at 6:00 p.m. in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted by August 10, 2019, before 6:00 p.m. providing time, place, date, and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting.

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Citizen Comment Period – limited to 30 minutes total

Rules for Citizens' Participation:

The Planning and Zoning Commission welcomes citizen participation and comments at all Commission Meetings. The Commission offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, you should follow these guidelines:

- a) Respect and courtesy:
 - i. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
 - ii. Show the Commission the same respect that you would like to be shown.
 - iii. End your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period/business item period
 1. You are required to sign up to speak and you are limited to one 3-minute period.
 - ii. Second citizen comment period
 1. You are not required to sign up to speak and you are limited to one 2-minute period.
 - iii. State your name and address before your comments begin.
 - iv. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the Commission is limited to either a statement of specific factual information or a recitation of existing policy. TX. GOV'T CODE §551.042.

5. Business Items

The Commission may discuss, consider, and/or take action on the following items:

- a) Approvals
 - i. Approval of Minutes for July 9, 2019, Planning and Zoning Commission Regular Meeting.
 - ii. Approval of Minutes for July 18, 2019, Planning and Zoning Commission Regular Meeting.
- b) Discussions/Reports/Updates.
 - i. Items applicable to the Planning and Zoning Commission discussed at the August 7, 2019, City Council Regular Meeting.
 - ii. Ordinance No. 210-022018 An Ordinance of the City Council of the City of Garden Ridge adopting board and commission policy and procedures; providing that this Ordinance shall be

cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.

1. Discuss expiring terms (September 30, 2019) of Commissioner Miller, Commissioner Valdez, Commissioner Heier, and Commissioner Dauer.
2. Make recommendation to City Council for consideration of reappointment.
3. Discuss and make recommendations related to application of ordinance provisions to commission members, if needed.

iii. Update on legislative changes and their effects on the Zoning Ordinance rewrite.

iv. Freese and Nichols, Inc. for Zoning Ordinance rewrite assistance.

1. Discuss and make possible recommendations related to the Draft Zoning Ordinance.

c) Future Agenda Items.

- i. Commissioners input on agenda items.
- ii. Announce the date, time, and location for next meeting (September 10, 2019, at 6:00 p.m. at City Hall).

6. Citizen Comment Period – limited to 20 minutes total

7. Adjournment

AGENDA NOTICES:

Decorum Required:

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Council Authorized:

The Council may vote or act upon any item within this Agenda. The Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matter listed above, as authorized by Title 5, Chapter 551, of the Texas Government Code.

Executive Sessions Authorized:

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 the 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 City Council, 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.

This is to certify that I, Marisa Spencer, posted this Agenda at 11:00 a.m. on August 9, 2019, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Marisa Spencer
City Secretary



MINUTES
PLANNING AND ZONING COMMISSION REGULAR MEETING
TUESDAY, JULY 9, 2019, 6:00 P.M.

Commissioners Present:

Chair Dr. Jim Miller
Vice-Chair Karen Diaz
Commissioner Kitty Owen
Commissioner David Dauer
Commissioner Jesse Valdez
Commissioner Kerim Jacaman

Commissioners Absent:

Commissioner David Heier (Voluntary Announced Absence)

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Cameron Cox, City Attorney

Other City Councilmembers or Commissioners Present:

Ken Kneupper, Wildlife Management Advisory Commissioner

1. Call to Order

With a quorum of the Planning and Zoning Commission Members present, Chair Dr. Miller, called the regular meeting of the Garden Ridge Planning and Zoning Commission to order at 6:00 p.m. on Tuesday, July 9, 2019, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Roll Call

See above.

3. Pledge of Allegiance

Chair Dr. Miller led the Pledge of Allegiance.

4. Citizen Comment Period – limited to 30 minutes total

No one signed up to speak.

5. Business Items

The Commission may discuss, consider, and/or take action on the following items:

a) Discussions/Reports/Updates.

i. Items applicable to the Planning and Zoning Commission discussed at the July 2, 2019, City Council Regular Meeting.

Chair Dr. Miller updated the Commission on the items applicable to the Planning and Zoning Commission that were discussed at the July 2, 2019, City Council Regular Meeting. He spoke regarding Planning and Zoning Commissioners terms and Ordinance No. 55.

ii. Planning and Zoning Commission Membership on Strategic Committee with Councilmembers.

Chair Dr. Miller stated City Council recommended a strategic committee be formed that consists of two Councilmembers and two Commissioners to create a timeline and plan for implementation of the Zoning Ordinance. Chair Dr. Miller stated the two representatives from the City Council are Mayor Pro-Tem McCaw and Councilmember Lantzy. Chair Dr. Miller stated Commissioner Heier volunteered and he would like Vice-Chair Diaz to be the other representative from the Planning and Zoning Commission.

Motion: A motion was made by Commissioner Owen, seconded Commissioner Valdez to appoint Vice-Chair Diaz and Commissioner Heier to be the representatives from the Planning and Zoning Commission on the Strategic Committee with City Council. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

iii. Ordinance No. 210-022018 An Ordinance of the City Council of the City of Garden Ridge adopting board and commission policy and procedures; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.

1. Discuss and make recommendations related to application of ordinance provisions to commission members, if needed.

The Commission discussed taking action on reappointments of Commissioners whose terms expire September 30, 2019, during the Commission's August meeting in order for City Council to receive and take action on their recommendation at City Council's September meeting.

iv. Freese and Nichols, Inc. for Zoning Ordinance rewrite assistance.

1. Discuss and make possible recommendations related to the Draft Zoning Ordinance.

The Commission reviewed and discussed pages 47- 114 of the Draft Zoning Ordinance.

b) Future Agenda Items.

i. Commissioners input on agenda items.

Commissioner Dauer requested to continue discussions regarding Ordinance No. 55.

ii. Announce the date, time, and location for next meeting (July 18, 2019, at 6:00 p.m. at City Hall).

Chair Dr. Miller announced the next Planning and Zoning Commission Regular Meeting will be on Thursday, July 18, 2019, at 6:00 p.m. at City Hall.

6. Citizen Comment Period – limited to 20 minutes total

Ken Kneupper, 8891 Schoenthal Road, spoke regarding lighting standards and requests for variances.

Kay Bower, 8947 Garden Ridge Drive, spoke regarding the rewrite process of the Draft Zoning Ordinance.

7. Adjournment

Motion: A motion was made by Commissioner Valdez, seconded by Commissioner Dauer, to adjourn. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Tuesday, July 9, 2019, Planning and Zoning Commission Regular Meeting was adjourned at 8:46 p.m. by Chair Dr. Miller.

Dr. Jim Miller, Chair

ATTEST:

Marisa Spencer
City Secretary

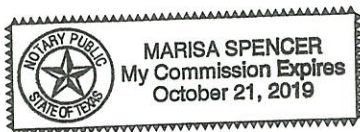
OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS

I, **Kerim Jacaman**, do solemnly swear, that I will faithfully execute the duties of the office of **Planning and Zoning Commission Place 3** of the City of Garden Ridge, County of Comal, State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Kerim Jacaman
Signature of Officer

Sworn to and subscribed before me on this 9th day of July, 2019.



(Notary Seal)

Marisa Spencer
Signature of Notary Public

Marisa Spencer
Printed Name of Notary Public

City Secretary
Title

STATEMENT OF OFFICER

Statement

I, **Kerim Jacaman**, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Appointed: **Planning and Zoning Commission Place 3**

City of Garden Ridge, Texas.

Execution

Under penalties of perjury, I declare that I read the foregoing statement and that the facts stated therein are true.



Signature of Officer

7-9-19

Date



MINUTES
PLANNING AND ZONING COMMISSION REGULAR MEETING
THURSDAY, JULY 18, 2019, 6:00 P.M.

Commissioners Present:

Chair Dr. Jim Miller
Commissioner Kitty Owen
Commissioner David Heier
Commissioner David Dauer
Commissioner Jesse Valdez
Commissioner Kerim Jacaman

Commissioners Absent:

Vice-Chair Karen Diaz (Voluntary Announced Absence)

City Staff, City Councilmembers, or Other Commissioners Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Adolfo Ruiz, City Attorney
Mayor Pro-Tem John McCaw

1. Call to Order

With a quorum of the Planning and Zoning Commissioner present, Chair Dr. Miller, called the regular meeting of the Garden Ridge Planning and Zoning Commission to order at 6:01 p.m. on Thursday, July 18, 2019, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Roll Call: See above.

3. Pledge of Allegiance: Chair Dr. Miller led the Pledge of Allegiance.

4. Citizen Comment Period: No one signed up to speak.

5. Business Items

The Commission may discuss, consider, and/or take action on the following items:

a) Approvals/Recommendations

i. Approval of Minutes for June 11, 2019, Planning and Zoning Commission Regular Meeting.

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Heier, to approve the minutes for June 11, 2019, Planning and Zoning Commission Regular Meeting. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

ii. Approval of Minutes for June 20, 2019, Planning and Zoning Commission Regular Meeting.

Motion: A motion was made by Commissioner Heier, seconded by Commissioner Owen, to approve the minutes for June 20, 2019, Planning and Zoning Commission Regular Meeting. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

b) Discussions/Reports/Updates.

Chair Dr. Miller stated he would like to reorder the agenda items as follows.

ii. Ordinance No. 210-022018 An Ordinance of the City Council of the City of Garden Ridge adopting board and commission policy and procedures; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.

1. Discuss and make recommendations related to application of ordinance provisions to commission members, if needed.

The Commission discussed the number of absences allowed in Ordinance No. 210 and particularly how it effects the Planning and Zoning Commission differently. The Commission discussed how Vice-Chair Diaz has all voluntary announced absences with a majority of them occurring on the additional Thursday meetings.

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Valdez, to recommend City Council waive the requirement in Ordinance No. 210-022018, Section V. Termination, Subsection A. to allow for five (5) total absences in a twelve (12) month period for Vice-Chair Diaz. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

i. Ordinance No. 55-122017 An Ordinance amending the City of Garden Ridge Sign Ordinance No. 062017; providing for the regulation, installation, and maintenance of signs within the City limits and extraterritorial jurisdiction ("ETJ") of the City of Garden Ridge; providing for definitions, exemptions, locations, and size and height restrictions; requiring permits; prohibiting certain types of signs; providing a means for variances thereto; providing a repealing section; providing for enforcement and penalties; providing for severability; and providing for an effective date.

1. Review and discuss request for variance application submitted by Martha Stipp, 21007 Cedar Branch, regarding time restriction for temporary signs.

Martha Stipp spoke regarding the Advocates for Garden Ridge Wildlife, stating she is the Secretary for the non-profit. She stated she is requesting a variance regarding the time restriction for temporary signs for every resident wishing to protest deer trapping. She stated she is requesting that these temporary signs be allowed to remain displayed for the duration of deer trapping while the City is in a contract. She furthered requested that the Commission recommend to City Council that the 30-day limitation on temporary signs be removed from Ordinance No. 55, stating in the interim, a variance should be granted to allow anyone in the City to express their views through temporary signs.

2. Schedule date for recommendation to City Council based on requirements in Ordinance No. 55-122017, Section 20. Variances, Subsection A. Application.

City Attorney stated this request does not meet the standards for approval as stated in Ordinance No. 55; therefore, review and consideration must be disapproved. The Commission discussed the variance request not meeting the standards for approval and other avenues to express opinions.

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Heier, to deny sending the variance request to City Council for review based on the findings that the request does not meet the requirements of standards for approval as stated in Ordinance No. 55-122017. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

iii. Freese and Nichols, Inc. Draft Zoning Ordinance.

The Commission reviewed and discussed pages 115-153 of the Draft Zoning Ordinance.

c) Future Agenda Items.

i. Commissioners input on agenda items.

Chair Dr. Miller stated the Commission will discuss and take action on recommending reappointments of Commissioners to City Council during the Commission's August 13, 2019, regular meeting. The Commission discussed adding Ordinance No. 55 to the pending future agenda items.

ii. Announce the date, time, and location for next meeting (August 13, 2019, at 6:00 p.m. at City Hall).

Chair Dr. Miller announced the next Planning and Zoning Commission Regular Meeting will be on Tuesday, August 13, 2019, at 6:00 p.m. at City Hall.

6. Citizen Comment Period: No one wished to speak.

7. Adjournment

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Valdez, to adjourn. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Thursday, July 18, 2019, Planning and Zoning Commission Regular Meeting was adjourned at 9:10 p.m. by Chair Dr. Miller.

Dr. Jim Miller, Chair

ATTEST:

Marisa Spencer
City Secretary

PLANNING AND ZONING COMMISSION

Name	Pl	Appt/ Expires	Appt/ Expires	Appt/ Expires	Appt/ Expires	Appt/ Expires	Appt/ Expires	Appt/ Expires	Appt/ Expires	Appt/ Expires	Appt/ Expires	Appt/ Expires
Dr. Jim Miller	1	Mar 16 Sept 17	Sept 17 Sept 19									
Karen Diaz	2	Oct 17 Sept 18 (P)	Sept 18 Sept 20									
Kerim Jacaman	3	July 19 Sept 20 (P)										
Jesse Valdez	4	Mar 19 Sept 19 (P)										
David Heier	5	Jul 13 Sept 15	Sept 15 Sept 17	Sept 17 Sept 19								
David Dauer	6	Nov 18 Sept 19 (P)										
Kitty Owen	7	May 98 Sept 98 (P)	Sept 98 Sept 00	Sept 00 Sept 02	Sept 02 Sept 04	Sept 04 Sept 06	Sept 06 Sept 08	Sept 08 Sept 10	Sept 10 Sept 12	Sept 12 Sept 14	Sept 14 Sept 16	Sept 16 Sept 18 Sept 20

(P)= Partial term of less than ½ the term remaining

Planning and Zoning Commission Rolling Attendance

	2/13/18 Regular Meeting	3/13/18 Regular Meeting	4/10/18 Regular Meeting	5-10-18 Regular Meeting	6-12-18 Regular Meeting	7-10-18 Regular Meeting	8/10/18 Special Meeting	8/14/18 Regular Meeting	08/27/18 Special Meeting	9/11/18 Regular Meeting	10/9/18 Regular Meeting	11/13/18 Regular Meeting	11/15/18 Regular Meeting	12/11/18 Regular Meeting	12/20/18 Regular Meeting	01/08/19 Regular Meeting	01/17/19 Regular Meeting	02/12/19 Regular Meeting
Miller	P	P	P	P	P	P	P-QNM	P	P	P	P	P	P	P	P	P	P	P
Diaz	P	P	P	P	VAA	P	P-QNM	P	P	P	P	VAA	VAA	P	P	P	P	P
Hausheer		P	P	VAA	P	P	P-QNM	P	P	P	P	P	P	P	P	P	P	P
Ringle	P	P	P	P	P	P	UA	UA	P	P	P	P	P	VAA	UA	UA		
Heier	P	P	P	P	P	VAA	P-QNM	P	P	UA	P	P	P	P	P	P	VAA	P
Dauer												P	P	P	UA	P	P	P
Owen	P	P	E	P	VAA	UA	VAA	P	P	P	P	P	P	P	UA	P	P	P

	2/21/19 Regular Meeting	3/12/19 Regular Meeting	4/9/19 Regular Meeting	4/18/19 Regular Meeting	5/16/19 Regular Meeting	6/11/19 Regular Meeting	6/20/19 Regular Meeting	7/9/19 Regular Meeting	7/18/19 Regular Meeting	8/13/19 Regular Meeting								
Miller	P	P	P	P	P	P	P	P	P									
Diaz	P	P	P	P	VAA	P	P	P	VAA									
Jacaman								P	P									
Valdez		P	P	P	P	P	VAA	P	P									
Heier	P	P	P	P	P	P	P	VAA	P									
Dauer	E	P	P	P	P	P	P	P	P									
Owen	P	P	P	P	P	P	P	P	P									

P	Present
P-QNM	Present- no quorum
E	Excused allowed in Ord. 210
VAA	Voluntary Announced
UA	Unannounced Absence
	Not member yet

Planning and Zoning Commission's Attendance at 2019 City Council Regular Meetings

	1/2/19 Regular Meeting	2/6/19 Regular Meeting	3/6/19 Regular Meeting	4/3/19 Regular Meeting	5/1/19 Regular Meeting	6/5/19 Regular Meeting	7/3/19 Regular Meeting	8/7/19 Regular Meeting	9/4/19 Regular Meeting	10/2/19 Regular Meeting	11/6/19 Regular Meeting	12/4/19 Regular Meeting	Total for year
Miller	P	P	P	P	P	P	P	P					8
Diaz	P		P	P	P	P		P					6
Jacaman							P						1
Valdez	P	P	P	P	P	P	P	P					8
Heier	P	P		P	P	P	P						6
Dauer			P		P	P	P						4
Owen						P							1

	Met requirements in Ordinance 210
	NOT met requirements in Ordinance 210

Future Agenda Items

Planning and Zoning Commission

September 10, 2019 Regular Meeting

- | | | |
|-------------------------------|------------|--|
| 14 days before Meeting | (08/27/19) | Commission and Staff items are due |
| 7 days before Meeting | (09/03/19) | City Administrator and Chair review agenda. City Attorney is sent the agenda for approval. |
| 5 days before Meeting | (09/05/19) | Post Agenda on bulletin board and Commission will receive packet |
| 4 days before Meeting | (09/06/19) | Post Agenda Packet to City Website |
| 3 days before Meeting | (09/07/19) | (72 hours) – Local Government Code requirement for posting |

City Council = Red
 Impact Fee Committee = Pink
 Quarry Commission = Purple
 Planning & Zoning = Green
 Water Commission = Blue
 Wildlife Management Advisory Commission = Brown
 Municipal Court = Gray
 City Holiday = Orange

Sun	Mon	Tues	Wed	Thur	Fri	Sat
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					

Approvals/Discussion/Reports

1. August Minutes
2. Freese and Nichols, Inc. / Zoning Ordinance / Ordinance 210
3. Future Agenda Items: Commissioner Input / Set next meeting if necessary (September 19, 2019, at 6pm)

September 19, 2019 Regular Meeting

- | | | |
|-------------------------------|------------|--|
| 14 days before Meeting | (09/05/19) | Commission and Staff items are due |
| 8 days before Meeting | (09/11/19) | City Administrator and Chair review agenda. City Attorney is sent the agenda for approval. |
| 6 days before Meeting | (09/13/19) | Post Agenda on bulletin board and Commission will receive packet |
| 4 days before Meeting | (09/15/19) | Post Agenda Packet to City Website |
| 3 days before Meeting | (09/16/19) | (72 hours) – Local Government Code requirement for posting |

City Council = Red
 Impact Fee Committee = Pink
 Quarry Commission = Purple
 Planning & Zoning = Green
 Water Commission = Blue
 Wildlife Management Advisory Commission = Brown
 Municipal Court = Gray
 City Holiday = Orange

Sun	Mon	Tues	Wed	Thur	Fri	Sat
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					

Approvals/Discussions/Reports

1. Freese and Nichols, Inc. / Zoning Ordinance / Ordinance 210
2. Future Agenda Items: Commissioner Input / Set next meeting (October 8, 2019, at 6pm)

PENDING FUTURE AGENDA ITEMS

- Ordinance No. 55 (temporary signs/time restriction on temporary signs)