

MINUTES OF THE PLANNING & ZONING COMMISSION MEETING
OF THE CITY OF JOURDANTON, 1604 STATE HIGHWAY 97 EAST, JOURDANTON
TEXAS 78026 AUGUST 23, 2018 AT COUNCIL CHAMBERS AT 6:00 P.M

1. *Roll Call to Establish Quorum:*

Chairman:	Donna Blue
Vice Chairman:	Kristian Weaver
Planning and Zoning Commission:	James Dornak Margaret Steffek Megan Cruz
City Manager	Lamar Schulz
City Secretary	Debbie G. Molina

2. *Call Meeting to Order:*

Chairman Blue called the meeting to order at 6:04 p.m.

3. *Invocation:*

Chairman Blue gave the invocation.

4. *Pledge of Allegiance to the Flags of the United States of America and State of Texas:*

Chairman Blue recited the Pledge of Allegiance to the Flags of the U.S. and Texas flags.

5. *Workshop.*

a. Discussion regarding the City's sign ordinance:

A presentation of a power point was presented by City Manager Schulz of regarding a lawsuit Reed V. Town of Gilbert. Schulz advised the Committee that City Attorney Santee presented the case to the City Council at the Joint Workshop on August 18 regarding a small church located in Gilbert. The church did not have a specific meeting place; therefore, they met at different places every week. Signs were being placed indicating where services were held. The City was opposed so the church filed a lawsuit. The Supreme Court ruled for the church's favor. The city did not have the ability to dictate the content. Schulz stated that Santee stated there was another case in federal court in San Antonio.

Schulz informed the Committee that the city's current ordinance needed to be revised to meet legal specifications. The size of the sign and the location can only be regulated with appropriate language. He said political signs can only be regulated by Texas Department of Transportation (TxDot) by state law. Schulz spoke of another case with TxDot and Auspro Enterprises regarding a political sign. Other demonstrations of political, hunting, and school signs were listed with feedback from cities. Committee Member Dornak asked if signs at businesses would be grandfathered because TxDot widen the Highway 97 and has caused signs not to comply with the setback lines. Schulz stated that they would be.

The second presentation were pictures that Chairman Blue and Committee Member Steffek took of various signs within the city limits of Jourdanton. Schulz stated that the pictures were sent to City Attorney Santee for legal opinion. Santee noted comments to most of the pictures. Discussion and comments were addressed by Schulz and the Committee of the types of signs that were prohibited, needed maintenance, and placement of the sign. The committee questioned signs within the extraterritorial jurisdiction ("etj"). Schulz inform the committee that Santee had stated that the city could regulate city limits signs only because the "etj" could be limited what the city could regulate. Vice-Chairman Weaver believed that the "etj" could be fully regulated by the city.

Schulz read changes made by Santee regarding as pursuant:

1. Section 3.08.010 Exemptions from permit requirement:

1. A person exercising the right to place temporary residential signs on a property as described in this must limit the number of signs on the property at any one time to 12.
2. Unless otherwise stated, the sign face of any exempt temporary residential sign, must not exceed six (6) square feet.

2. Section 3.08.005 Definitions:

Height/maximum. The distance from ground level to the top of the sign structure. The ground level is the lower of (i) the existing grade prior to construction of the sign, or (i) the newly established grade after construction, unless the curb elevation at the street in front of the sign is higher than the establishment ground level, in which case the height shall be measured from curb level.

City Manager Schulz advised the Committee that this was an example of the "Mi Mexico" sign. Schulz stated that he would ask City Attorney Santee for a clarification if a curb was not present.

3. Section 3.08.012 Size, number, and design

7. Sign, changeable electronic variable message (CEVMS)

d. CEVMS must be set at least ten (10) feet from all property lines.

4. Section 3.08.005 Definitions:

Mural. A large picture image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, and/or symbols.

City Manager Schulz stated that mural paintings were added.

6. *Adjourn.*

Motion was made by Committee Member Steffek "to adjourn." Motion was seconded by Vice-Chairman Weaver.

Chairman Blue adjourned the meeting at 7:04 p.m.


DEBBIE G MOLINA, CITY SECRETARY


DONNA BLUE, CHAIRPERSON