



PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
July 18, 2023 at 6:30 PM
City Council Chamber/Municipal Court Room
2801 Ranch RD 1869
Liberty Hill, Texas
78642

Commissioners Present:

Steve Messana, Chair
Chad Cormack, Vice Chair
Diane Williams, Secretary
Bryan Rivera
Sarah Novo

City Staff Present:

Paul Brandenburg, City Manager
McKenzi Hicks, Planner II
Shelby Claridge, Planning Technician

1. CALL TO ORDER

The Planning and Zoning Commission meeting was called to order by Chair Steve Messana at 6:30 PM on Tuesday, July 18, 2023, at 2801 Ranch Road 1869, Liberty Hill, Texas. Quorum was established and all members were present.

Chair Steve Messana led the invocation, and led the pledges of allegiance to US and Texas flags, respectively.

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 before 3:00 PM the day of the meeting.

There were no citizen comments.

CONSENT AGENDA

Consent Agenda items are considered to be routine and will be enacted by one motion. There will be no separate discussion of those items unless requested by the Commission, in which event the item(s) will be removed from Consent Agenda and considered under Regular Agenda.

Approval of the June 20, 2023 P&Z Commission Regular Called Meeting minutes. (Secretary Williams)

Approval of the June 27, 2023 P&Z Commission Joint Special Meeting with City Council and Verdunity meeting minutes. (Secretary Williams)

Consider recommending approval of the Stonewall Ranch North Section 15 Subdivision Final Plat to City Council, generally located south of the intersection of Diorite Drive and Long Run, consisting of approximately 16.92 acres of land, part of and out of the J.B. Robinson Survey, Abstract No. 521, Liberty Hill Extraterritorial Jurisdiction (ETJ), Williamson County, Texas. (M. Hicks)

Consider approving the monthly update to the Planning & Zoning Commission Annual Work Plan. (M. Hicks)

Motion: Motion by Secretary Diane Williams, seconded by Chair Messana, to approve all items on the Consent Agenda. **Motion carried unanimously by a vote of 5-0.** Ayes: Messana, Cormack, Williams, Rivera, and Novo. Nays: 0. Abstentions: 0.

3) REGULAR AGENDA

- a) Receive an update from the Downtown Revitalization Committee (DRC) Chair, Daniel Scott, regarding wayfinding signage samples and prospective locations. (D. Scott)

DRC Chair Daniel Scott addressed the Commission and discussed the DRC progress on wayfinding signs, noting that some of the DRC members liked the Brenham signs and some liked the idea of trying to get a local artist to design some aspects. DRC Chair Scott advised that one Economic Development Corporation (EDC) member shared a Georgetown bench example, and noted that could also be a place to share art. DRC Chair Scott also advised that there were discussions on a possible mural on the building at Grange Street. DRC Chair Scott noted that it doesn't mean that the wayfinding signs and the local art are tied into one. DRC Chair Scott stated that the DRC had voted and approved to ask the EDC to procure wayfinding consulting assistance, and advised that the EDC Director had reached out after the meeting to suggest that the current Downtown Master Plan consultant could look at that component earlier. DRC Chair Scott noted that there will also be discussions on location.

P&Z Chair Messana inquired as to the meaning of the icons on the map, and the need for legend. DRC Chair Scott advised that the map had been handed down to him so he was not sure, but shared the ones he could identify.

Vice-Chair Chad Cormack sought to confirm that the next steps were for the EDC to fund the effort. DRC Chair Scott clarified that it will be under the Downtown Master Plan Consultant as a priority item. City Manager Paul Brandenburg shared that the Council had set aside some ARPA (The

American Rescue Plan Act) funds, \$600,000 for signs, and advised he had also talked to PEC (Pedernales Electric Cooperative) about burying lines, and updated the Commission on other aspects such as benches and sidewalks.

DRC Chair Scott discussed the various stages of design and implementation, and advised that at that stage there should be more cross committee discussions.

Vice-Chair Cormack noted that this was great for Downtown but someone also needed to look at signage for entering the City limits. City Manager Brandenburg advised that there was money in the budget for monument signs but there are issues that have to be resolved with the TxDOT (Texas Department of Transportation) relative to right of way. City Manager Brandenburg advised he wanted other signs for direction, and that the Parks Board was also working on some too but stressed that we should be careful to avoid sign pollution.

Commissioner Sarah Novo asked if the mural was wrapped into downtown signage or would be under separate funding. DRC Chair Scott clarified that it was most likely separate, and that the idea stemmed from the discussion of having an artist involved in the signage. City Manager Brandenburg stressed that there still had to be discussions with the building owner and what would be depicted, and therefore, more work would be needed. Commissioner Novo stated that she thinks they should be separate and were good ideas.

DRC Chair Scott discussed the historic aspects of the stone work and suggested that could be another way to get an artist involved without it being on someone's building, elaborating with examples. DRC Chair Scott discussed the concept of stones and having carving. Secretary Williams noted she liked the idea discussed of tying in the sculptures. City Manager Brandenburg mentioned the area within the upcoming roundabout as a possible location for artwork. Chair Messana discussed the Brenham example. DRC Chair Scott discussed how to tie to the Sculpture festival.

DRC Chair Scott requested that the Commissioners forward any other examples they like as input.

No action was taken.

- b) Appoint/Reappoint the following Planning & Zoning Commission Officers: Chair, Vice-Chair, and Secretary, beginning July 18, 2023, to June 30, 2024. (M. Hicks)

Ms. McKenzi Hicks introduced the topic and advised that she would lead the meeting for the appointment/reappointment of the Chair and then turn it back over. Secretary Williams highlighted that this is to be an annual agenda item per the bylaws, which will now be in July each year instead of October given the revision of the member term expirations to June 30th by the Council.

Secretary Williams moved, seconded by Vice-Chair Cormack, to reappoint Steve Messana as the Chair of the Planning and Zoning Commission. **Motion carried unanimously by a vote of 5-0.** Ayes: Messana, Cormack, Williams, Rivera, and Novo. Nays: 0. Abstentions: 0.

Commissioner Brian Rivera moved, seconded by Commissioner Novo, to reappoint Chad Cormack as the Vice-Chair. **Motion carried unanimously by a vote of 5-0.** Ayes: Messana, Cormack, Williams, Rivera, and Novo. Nays: 0. Abstentions: 0.

Vice-Chair Cormack moved, seconded by Chair Messana, to reappoint Diane Williams as Secretary. **Motion carried unanimously by a vote of 5-0.** Ayes: Messana, Cormack, Williams, Rivera, and Novo. Nays: 0. Abstentions: 0.

c) Discussion and provide potential direction to staff regarding the sign ordinance. (M. Hicks)

Ms. Hicks addressed the Commission and advised that the sign ordinance had been previously highlighted as needing a rewrite. Secretary Williams provided the history of this item and previous discussions in the Commission when it was originally raised by former Commissioner Jon Mathiasen, noting that the question is, do we need to fix the ordinance now, or wait for Verdunity to rewrite it, assuming it is in their scope. Secretary Williams advised that the application online appeared to be \$50 for 30-days or less, but it is intended as a temporary sign.

Chair Messana highlighted that the previous update was only a patch for pole/pylon signs, and expressed his view that if it is in the Consultant's scope, he didn't think the Commission should spend time on it, unless it can be removed from their scope. Ms. Hicks advised it was in the Consultant's scope under the zoning portion, but staff could edit if needed. Chair Messana advised if there was glaring errors, then maybe it should be edited. Vice-Chair Cormack asked for clarification on the statement of Ms. Hicks that it was under the zoning scope. Ms. Hicks clarified that it means it was for a complete rewrite.

Secretary Williams pointed out her concerns on the table on page 67 in the sign ordinance as it didn't really align with the application and the headers seemed to have content in the boxes that contradicted the items below. Ms. Hicks advised that she had looked at a much earlier version and it looked like this version has a format error, also noting the older version had a definition for temporary signs that was not in this version.

Vice-Chair Cormack asked when the Consultants would rewrite the ordinance. Ms. Hicks advised that their next trip would be in August. Secretary Williams reminded the Commission that at the last meeting Director Jerry Millard advised that he would discuss the associated Annual Workplan items with the Consultant at his meeting with them the next day to get the target dates for each ordinance outlined. However, at the Comprehensive Plan community event, the Consultant advised Secretary Williams that they were unaware of this but would be happy to help provide input as to the target dates for the listed ordinances. Secretary Williams also stated that the Consultant's target date, as stated in their plan, was to have the Unified Development Code (UDC) rewrite complete by February 2024.

Chair Messana stated that there looks to be a misalignment error in the table, and stated it must be fixed. Chair Messana further directed staff to determine when this table got shifted and to make sure any corrections fix the problems, and not create more. Secretary Williams suggested that the definition issues may also need to be addressed, giving an example that banner is under Building but the definition for banner, while it seems to align with code enforcement inclusion in the fees to be paid, doesn't seem to align with a building.

Secretary Williams highlighted what is out on the website now for the sign permit application and fees. Commissioner Novo expressed the need to be very clear on temporary signs. There were discussions on how the current fees are being charged for temporary signs and Chair Messana stated he didn't believe the intent was to have a \$50 fee to be paid every month. City Manager Brandenburg also noted that legal non-conforming and off-premise signs were also an issue.

Chair Messana noted that in addition to realigning the chart, he wanted to go through each item.

As a result of the discussions, staff was directed to:

1. Determine when the change happened (Ms. Hicks noted she had a hard copy of the 2008 UDC as noted above).
 2. Clean up the Table/Chart.
 3. Review the allowances in the chart.
 4. Review and clean up definitions.
- d) Discuss the recent adoption of the Planning & Zoning Commission's updated bylaws and future implementation strategies. (Secretary Williams)

Secretary Williams advised the Commissioners that the Council had approved the bylaws, which included the addition by staff of subdivision variances in the roles and responsibilities subsequent to the Commission meeting, noting however there was now some issue with the Commission carrying out that role. Ms. Hicks advised the Commission that the issue was that the City can't enforce anything that is not included in the local inter-agency agreement with the County, which was done in 2008. Chair Messana asked what the process was to get that agreement updated. Ms. Hicks explained the process. Chair Messana asked when it would be done and Ms. Hicks requested that the answer to that wait for input from Director Millard. It was clarified that the agreement is related to subdivision variances for subdivisions outside the city limits.

Secretary Williams advised the Commission that there seemed to be a disagreement on if the bylaws need to be codified or not, with City Secretary Elaine Simpson advising she did not think they needed to be, which was echoed by Chair Messana. However, Director Millard stated the bylaws needed to be codified for any new roles and responsibilities. Ms. Hicks noted that it might not be the bylaws themselves as originally thought, but the UDC updates needed, which will be taken to the Council in August. Commissioner Novo asked if this would then enable the City to go to the County for the agreement update. Ms. Hicks noted she would need to discuss it further with Director Millard. The discussion concluded with it being noted that what will be in effect right now is still uncertain.

Secretary Williams stated that she believes it is important to discuss the processes that will implement the roles and responsibilities because there were even existing ones that had not been implemented before, noting the Capital Improvement Plan (CIP) role as an example. Secretary Williams noted that Ms. Hicks has started a table, which is provided in the packet, related to applications. Ms. Hicks discussed the table, which outlines what the previous process was and what the current process is for applications following the bylaw update. Chair Messana noted he would like a table done in the same format for all roles and responsibilities. Chair Messana asked for clarification on page 81, which says "currently", asking if the Commission can now do it, or will it have to wait on the text amendment to the agreement. Chair Messana requested that, while the format could be kept, he would like a 3rd column added noting why not able to do it yet.

Secretary Williams noted that on page 82, staff needed to check on the BOA (Board of Adjustment) because at the joint meeting with Council, Director Millard had been instructed to discuss if one was needed with the City Attorney, and that the Commission bylaws merely state recommend variances.

As a result of the discussion, the direction to staff was as follows:

1. Add a 3rd column to the application table provided by staff to include why not able to do any items listed now.
 2. Create a new table, with the same format, for all roles and responsibilities.
- e) Discussion regarding the preliminary plat application process and submission sequence. (M. Hicks)

Ms. Hicks introduced the topic advising the Commission that this was related to an item in the Workplan previously requested by Secretary Williams. Secretary Williams clarified that this item was requested because of an issue at a previous meeting wherein Director Millard had presented both the preliminary plat and final plat for approval at the same meeting, despite the fact that the UDC states the Commission should ensure any comments of the Council on the preliminary plat were addressed on the final. Secretary Williams added that at that meeting, Director Millard had stated this was allowed, however, it concerned her, further noting that the application for final plat states it cannot be submitted until the preliminary plat has been approved. Secretary Williams noted that she appreciated that exceptions sometimes have to be made but believed that the staff report should take note of the exception and why an exception was needed, versus the Commission having to double check the UDC and raise concerns. Secretary Williams noted that at the meeting both she and Vice-Chair Cormack had voted against the approval of the final plat as a result. Secretary Williams noted that it might not be as big of an issue with the Commission now having plat approval but believes staff should still be clear in reports. Ms. Hicks reassured the Commission that would be the case.

Further discussions as to the concerns of the Commissioners ensued, stressing, in summary, that the preliminary and final plats should not be presented at the same time for approval, and that the current UDC should be followed in the future. Therefore, Secretary Williams noted that this workplan item can be updated accordingly and considered complete, thanking Ms. Hicks for making progress on the various outstanding workplan items.

f) Discussion regarding the ongoing Dark Skies designation process and status. (S. Claridge)

Ms. Shelby Claridge addressed the Commission and provided an update on efforts related to Dark Skies, and what she understands needs to be done, including the need to submit a \$250 application fee, which would enable the City to have access to all Dark Skies resources. Ms. Claridge noted that immediately prior to the Dark Skies monthly meeting she attended, the Consultant Amy Jackson had responded regarding her availability. Ms. Claridge advised that an initial inquiry has been submitted to determine the City's eligibility and the only designation the City would be eligible for is the Community designation. Ms. Claridge expanded on the effort involved, including the need to inventory the buildings that would need to come into compliance within a set timeframe. Ms. Claridge shared that the Bee Cave application was the one to be used as it is based on the latest information, noting she wanted to add the Liberty Hill flare to it. Ms. Claridge highlighted that Bee Caves was approved in a short time period and she believes the stated 1–3-year timeframe was to also do the ordinance, which is already complete. Secretary Williams clarified that the effort might entail a lot more given the stage of implementation at Bee Cave versus in Liberty Hill. Discussions followed regarding, in summary, using the Bee Cave application as a best practice sample but noting the efforts in Liberty Hill might entail more work to get to that stage, and stressing aspects in Liberty Hill might be different so while the format would be used, the content might be different. It was noted that the City has not joined the International Dark Skies Association yet. Ms. Claridge also covered the status of the various organizations that will be providing assistance.

Secretary Williams reiterated her recommendation that a Consultant with expertise in this area be hired, and based on the meeting she had also attended, there may be a need to update the ordinance. Ms. Claridge advised that she would compare the ordinance with the spreadsheet provided. Ms. Claridge advised that Amy Jackson, a consultant, had been in contact with Councilmember Amanda Young and will submit a proposal this week, and so that proposal could be included in the August 1st Commission meeting. Vice-Chair Cormack asked if that was a cost proposal, and Ms. Claridge confirmed. Vice-Chair Cormack asked if funds were available, and Ms. Claridge advised that she was not sure. Secretary Williams provided the history of the previous discussions and noted that when the Consultant was recommended, Director Millard said he had money in his budget and indicated there was not a need to recommend anything to Council in this regard, and therefore, it is uncertain if it really needs to come back to the Commission or staff can just act on it. Chair Messana noted we needed to know the amount first and Secretary Williams responded that staff could be the one to determine if feasible. Secretary Williams advised that when she asked in an email for Dark Skies to be put on the agenda to recommend the \$250 application fee, Director Millard had responded that this would not be necessary, because at the time the ordinance was passed, the Council approved a resolution to participate in this effort. Secretary Williams highlighted that despite that, the City has not joined the organization yet. Chair Messana stressed that was to happen immediately. Chair Messana stated that he was aware of the need for the \$250 application fee based on his involvement early on, had understood it would be done immediately, and was advised back then that it was underway. Ms. Claridge said her predecessor dropped the ball on it.

There was further discussion on the ordinance and Chair Messana also noted that the City progressed with what was available at the time on the ordinance, but were also told it would be changing, just not told when. Ms. Claridge advised that she had started drafting the packet and anticipated several

iterations of the application. Ms. Claridge stated that she believes, since there is staff now, that there may not be a need for a consultant. Secretary Williams noted that regardless of whether assistance was being used, Ms. Claridge would still be the point of contact. Ms. Claridge stated that staff would have to provide a lot of the information anyway so if assistance was used, it might be better if it was a case-by-case approach versus a base fee. Chair Messina stated the proposal should be reviewed, and if possible, someone available to assist with it given it is an arduous process, and we need to get it done. Secretary Williams thanked Ms. Claridge for all the information, which was echoed by Chair Messina.

Secretary Williams highlighted that her recommendation to use a consultant is not meant to reflect on her belief whether staff can handle it or not, but because this is an example of when an experienced consultant can help. Commissioner Rivera asked, since the meeting Ms. Claridge attended with Dark Skies, if Ms. Claridge had been able to brief Director Millard. Ms. Claridge advised that she had not been able to do so regarding the \$250 application fee because she had just learned about that, but that Director Millard is aware of how she feels about the use of a Consultant. Commissioner Rivera noted he was just trying to help clarify that there may be things that Director Millard is aware of that she has not been made aware of yet.

There was further discussion on the process and what has been done in this regard. Chair Messina reiterated that he did not want to close the door on a Consultant and felt we should get the proposal and determine if it is reasonable, keeping the door open to getting help to progress the effort.

No action was taken.

4) PLANNING AND DEVELOPMENT DEPARTMENT COMMENTS

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

a. City Council Update - P&Z Items (M. Hicks)

Ms. Hicks updated the Commission on the following actions taken at the City Council:

1. The SOB (Sexually Oriented Business) Ordinance passed on July 12, 2023. Secretary Williams highlighted that during the meeting Director Jerry Millard noted that the Appeals process would be revised, and that there were corrections to still be made to the Applications (which are not subject to Council approval).
2. There was a development presentation (placed on dais for Commissioners) for 157 acres. It was noted that the main discussion was on parkland.
3. Velocity Tire Site Plan was approved.
4. Loop 332 was renamed to Main Street.
5. OXF Preliminary Plat was approved on June 28th. Secretary Williams noted that there was discussion by the Council on why the zoning was put as MF2, when the density aligned with MF1.

Secretary Williams thanked Ms. Hicks for the addition of the Agenda Item, and Chair Messana requested in the future to include the specific items for discussion under it in the Agenda as well. It was noted that Paul Brandenburg's title has been changed from City Administrator to City Manager.

b. LHTX 2040 Comprehensive Plan Update (M. Hicks)

Ms. Hicks advised that the next trip of the Consultant would be August 22nd for 1 ½ days, focusing on implementation. The joint Planning and Zoning Commission and City Council workshop is planned for August 23rd.

c. P&Z & EDC Joint Meeting Update (M. Hicks)

Ms. Hicks advised that the joint meeting is scheduled for July 19th and all Commissions will be present except Commissioner Rivera. Secretary Williams asked for clarification on the email sent by Ms. Claridge that stated the Commission had to have four (4) members present because Secretary Williams did not recall this being a requirement for the Commission, only the Council. Ms. Claridge stated it was required by Robert's rules of order. Following discussion, Ms. Hicks noted that the Commission bylaws do not have this requirement for special meetings, only the quorum of three (3) at meetings.

Secretary Williams noted that items d. and e. were blank for the record.

f. List of Potential Variances Requested by Chair Messana (postponed until a later date)

g. Parks & Recreation Board Signage Coordination (postponed until a later date)

h. Cross-Committee Report (planned to be provided within the consent agenda of the P&Z packet on 8.15.2023)

Secretary Williams recommended the following future agenda items:

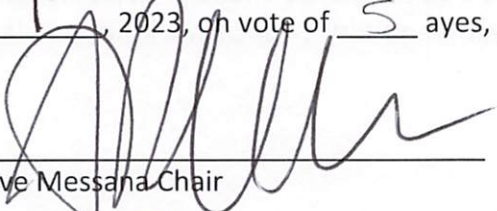
1. Verdunity scope of work for the UDC update, along with updates to the associated items on the Annual Workplan (next meeting).
2. Bylaw Implementation Updates
3. Sign Ordinance Stop Gap (next meeting based on discussions above).

Vice-Chair Cormack requested that the Future Land Use Map (FLUM) be added as it would be nice to understand and discuss it to educate the Commission, along with the interaction with current zoning and future land use categories.

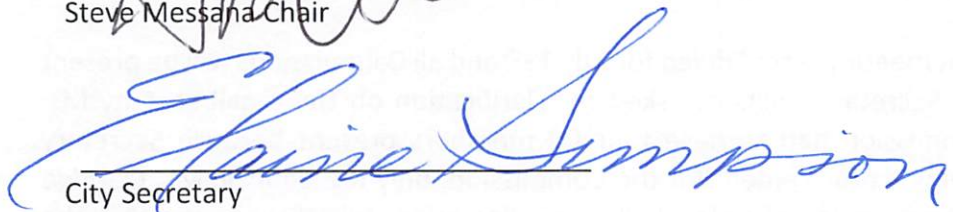
5) ADJOURNMENT

Given there were no further agenda items and hearing no objections from the members, Chair Messana adjourned the meeting 8:15PM.

PASSED AND APPROVED by the Planning and Zoning of the City of Liberty Hill, Texas on August, 2023, on vote of 5 ayes, 0 nays, and 0 abstentions.



Steve Messana Chair



Elaine Simpson
City Secretary