



# City of Garden Ridge

9400 Municipal Parkway  
Garden Ridge, Texas 78266-2600  
(210) 651-6632  
Fax (210) 651-9638

## AGENDA PLANNING AND ZONING COMMISSION REGULAR SESSION TUESDAY, AUGUST 9, 2016 -- 6:00 P.M.

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The Garden Ridge Planning and Zoning Commission will meet in a scheduled regular at 6:00 p.m., Tuesday, August 9, 2016 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 on August 5, 2016 before 5:00 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 interpretive services must be made 48 hours prior to this meeting.

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1. Call to Order
2. Roll Call
3. Citizen Comments – limited to 3 minutes each

### **Rules for Citizen's Participation:**

The Planning and Zoning Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our elected officials, we request that if you speak, that you please follow these guidelines.

- a) Direct your comments to the entire Commission, not to an individual member, nor to the audience.
- b) Show the Commission the same respect and courtesy that you would like to be shown.
- c) Limit remarks to three (3) minutes per citizen during Item 3 and to three (3) minutes per citizen during Item 6.
- d) Citizens' comments will be limited to one (1) hour in Item 3 and thirty (30) minutes in Item 6.
- e) Citizen comments may be deferred to a specific Business Item set forth in Section 4, below, if such comments pertain to such Business Item

*NOTE: 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. TEX. GOV'T CODE § 551.042.*

4. Business Items
  - a) Entrance and sign design for The Woods of Garden Ridge at Misty Arbor and Bindseil Lane
  - b) Discuss and possible recommendation of reappointment of Commissioners Bower, Stocks and Owen due to expiring terms of office (September 30, 2016).
  - c) Proposed revisions to Sign Ordinance 55 establishing, regulating and restricting the size, use, height and the location of signs in the City of Garden Ridge and the extraterritorial jurisdiction areas of the City of Garden Ridge; prescribing procedures for requesting sign variances; prescribing an application fee for all signs with the exclusion of residential real estate signs.
5. Administrative Items

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

  - a) Minutes of the July 12, 2016 Planning and Zoning Commission Meeting
  - b) Items discussed at the August 3, 2016 City Council Regular Meeting
  - c) Set date, time and location for next meeting
6. Citizen's Participation: - 3 minute limit per citizen.  
See "Rules for Citizen's Participation" under Item 3.
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 Commission may vote and/or act upon any item within this Agenda. The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

##### **Executive Sessions Authorized:**

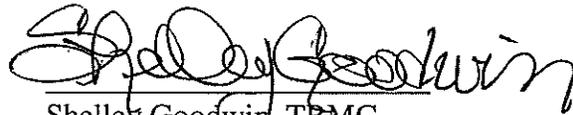
This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the 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 City Council, 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.

  
Shelley Goodwin, TRMC  
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 12:30 pm August 5, 2016 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

  
Shelley Goodwin, TRMC  
City Secretary

## City Administrator

---

**From:** City Administrator  
**Sent:** Monday, July 18, 2016 9:27 AM  
**To:** 'David Rittenhouse'  
**Subject:** RE: Woods of Garden Ridge (REVISED) PERMITTING drawings

Received and you will be placed on the August 9th Planning and Zoning Commission meeting.

Thanks,  
Nancy Cain  
City Administrator  
City of Garden Ridge  
[administrator@ci.garden-ridge.tx.us](mailto:administrator@ci.garden-ridge.tx.us)  
210-651-6632

-----Original Message-----

From: David Rittenhouse [<mailto:David@bitterblue.com>]  
Sent: Thursday, July 14, 2016 11:19 AM  
To: City Administrator  
Cc: Lacey Haggerty; Eugene Patillo  
Subject: Woods of Garden Ridge (REVISED) PERMITTING drawings

Nancy,

Attached is the revised set of drawings for the entryway at The Woods of Garden Ridge. This is intended for review by your staff and to be on the next P&Z meeting (which you informed me is August 9th).

If you could please confirm that you received this attachment and that we are on the agenda for the 9th, then we would certainly appreciate it.

Thank you,  
David

David Rittenhouse | Land Acquisition & Development Coordinator  
P. 210.828.6131 (EXT.123) F. 210.828.0504 11 Lynn Batts Lane #100 San Antonio, TX 78218  
RESIDENTIAL COMMUNITIES  
[dentoncommunities.com](http://dentoncommunities.com)

COMMERCIAL PROPERTIES  
[thepowellcompanies.com](http://thepowellcompanies.com)

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any disclosure, printing, copying, distribution, or the taking of any action in reliance on the contents of this e-mail transmission or its attachments is strictly prohibited.

## City Administrator

---

**From:** David Rittenhouse <David@bitterblue.com>  
**Sent:** Thursday, July 14, 2016 11:19 AM  
**To:** City Administrator  
**Cc:** Lacey Haggerty; Eugene Patillo  
**Subject:** Woods of Garden Ridge (REVISED) PERMITTING drawings  
**Attachments:** GR REV#1 ARCH SET - 07.13.16.pdf

Nancy,

Attached is the revised set of drawings for the entryway at The Woods of Garden Ridge. This is intended for review by your staff and to be on the next P&Z meeting (which you informed me is August 9th).

If you could please confirm that you received this attachment and that we are on the agenda for the 9th, then we would certainly appreciate it.

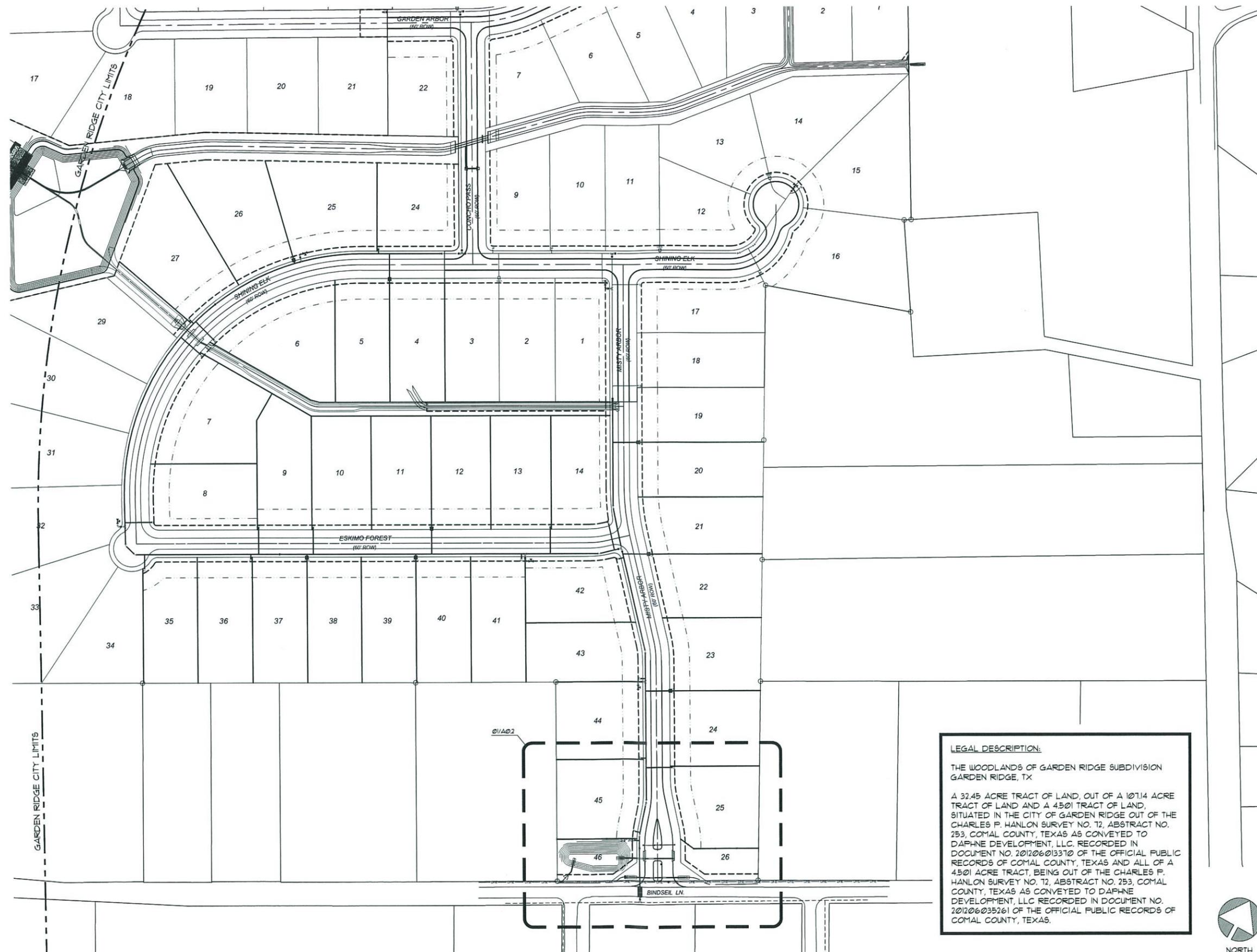
Thank you,  
David

David Rittenhouse | Land Acquisition & Development Coordinator  
P. 210.828.6131 (EXT.123) F. 210.828.0504 11 Lynn Batts Lane #100 San Antonio, TX 78218  
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dentoncommunities.com

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**LEGAL DESCRIPTION:**  
 THE WOODLANDS OF GARDEN RIDGE SUBDIVISION  
 GARDEN RIDGE, TX  
 A 32.45 ACRE TRACT OF LAND, OUT OF A 107.14 ACRE TRACT OF LAND AND A 4.501 TRACT OF LAND, SITUATED IN THE CITY OF GARDEN RIDGE OUT OF THE CHARLES F. HANLON SURVEY NO. 12, ABSTRACT NO. 253, COMAL COUNTY, TEXAS AS CONVEYED TO DAPHNE DEVELOPMENT, LLC. RECORDED IN DOCUMENT NO. 201206033310 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS AND ALL OF A 4.501 ACRE TRACT, BEING OUT OF THE CHARLES F. HANLON SURVEY NO. 12, ABSTRACT NO. 253, COMAL COUNTY, TEXAS AS CONVEYED TO DAPHNE DEVELOPMENT, LLC RECORDED IN DOCUMENT NO. 201206035261 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

**LUNA ARCHITECTURE DESIGN**  
 1175 W. BITTERS #101  
 SAN ANTONIO, TEXAS 78216  
 210.496.4411 PHONE  
 210.496.4480 FAX  
 LUNAARCHITECTURE.COM



**ENTRANCE MONUMENT FOR GARDEN RIDGE SUBDIVISION**

Misty Arbor St.  
 Garden Ridge, TX  
 78266

REVISIONS

PROJECT NUMBER  
 1-1115-042

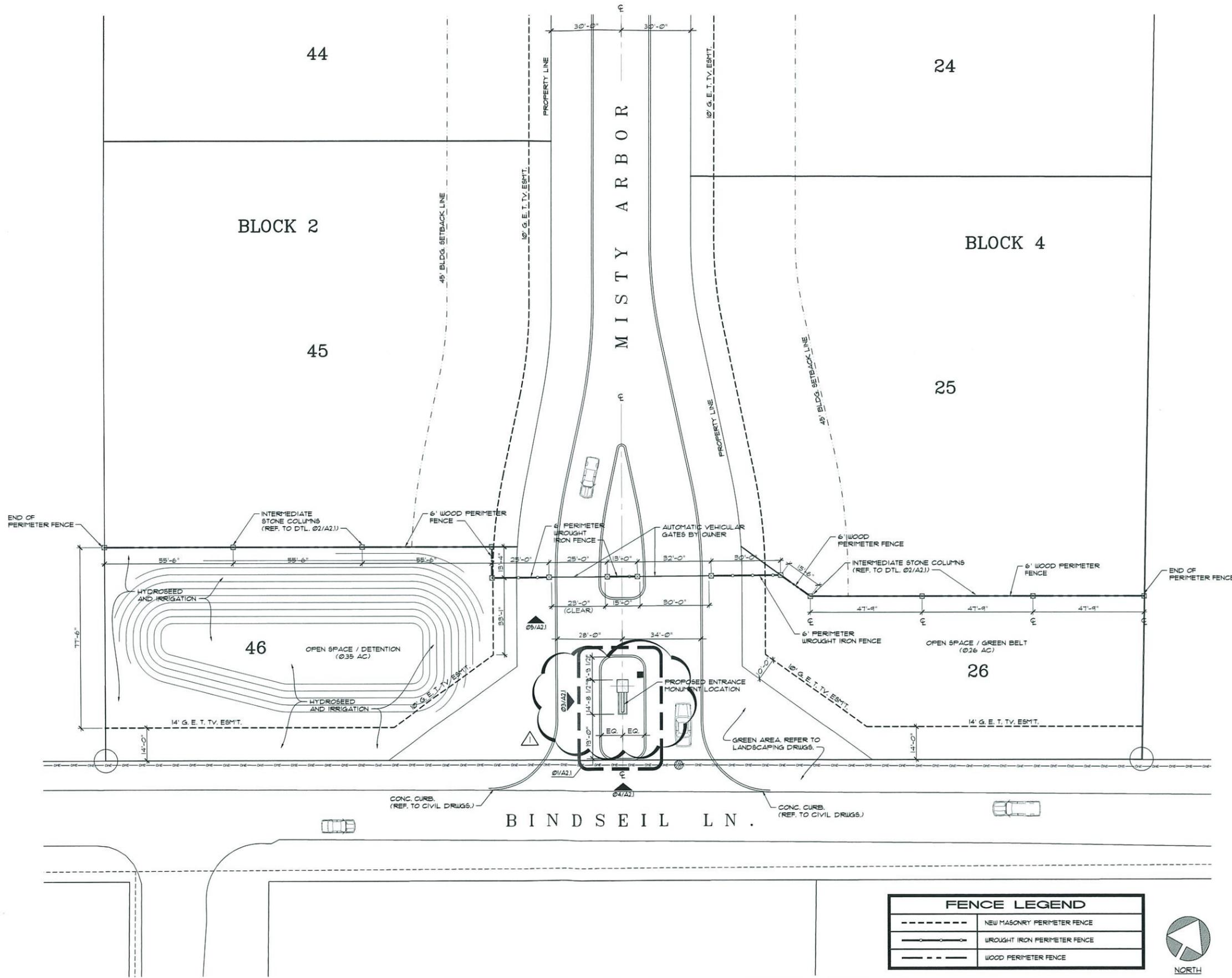
Drawn By: JMY  
 Checked By: RL

Sheet Title:  
**OVERALL SITE PLAN**

Sheet Number:

**A0.1**

Issue Date:  
 07/13/16



FENCE LEGEND	
---	NEW MASONRY PERIMETER FENCE
—●—	WROUGHT IRON PERIMETER FENCE
---	WOOD PERIMETER FENCE



ENLARGED SITE PLAN - MONUMENT AT ENTRANCE

SCALE: 1" = 20'-0"

01

**LUNA ARCHITECTURE DESIGN**

1775 W. BITTERS #101  
SAN ANTONIO, TEXAS 78216  
210.456.6811 PHONE  
210.456.6800 FAX  
LUNAARCHITECTURE.COM



**ENTRANCE MONUMENT FOR GARDEN RIDGE SUBDIVISION**

Misty Arbor St.  
Garden Ridge, TX  
78266

REVISIONS  
 ▲ CITY OF GARDEN RIDGE  
 COMMENTS - 06.28.16

PROJECT NUMBER  
1-1115-042

Drawn By: JMY  
Checked By: RL

Sheet Title:  
ENLARGED SITE PLAN - MONUMENT AT ENTRANCE

Sheet Number:  
**A0.2**

Issue Date:  
07/13/16



**ENTRANCE  
MONUMENT  
FOR GARDEN  
RIDGE  
SUBDIVISION**

Misty Arbor St.  
Garden Ridge, TX  
78266

REVISIONS  
▲ CITY OF GARDEN RIDGE  
COMMENTS - 06/28/16

PROJECT NUMBER  
1-1115-042

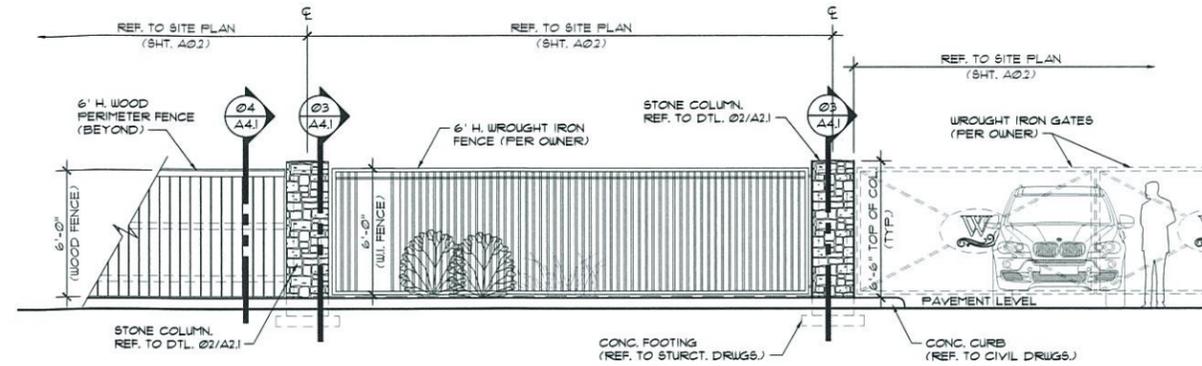
Drawn By: JMY  
Checked By: RL

Sheet Title:  
**ENLARGED  
MONUMENT PLAN  
AND EXTERIOR  
ELEVATIONS**

Sheet Number:

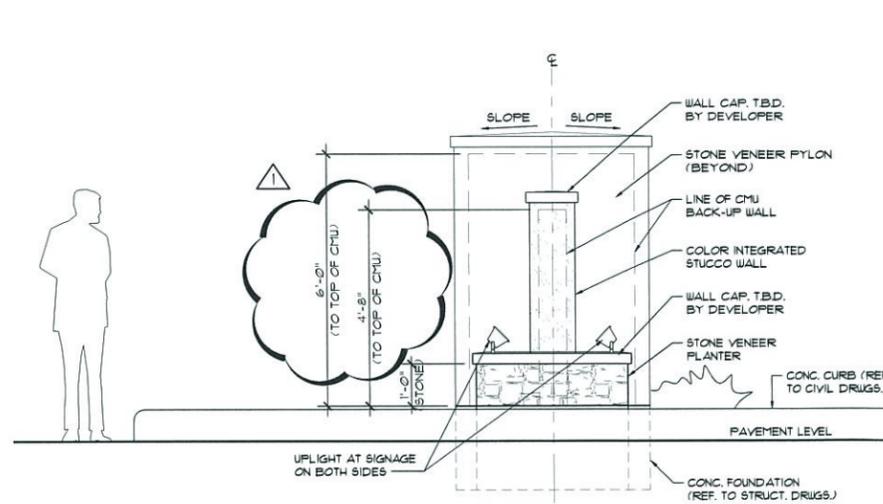
**A2.1**

Issue Date:  
**07/13/16**



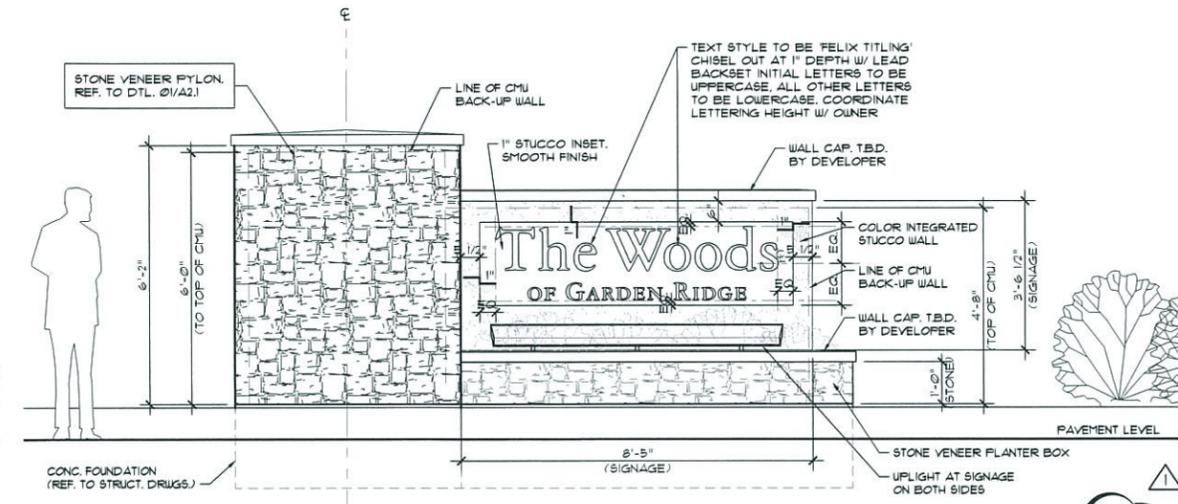
WOOD FENCING AND WROUGHT IRON FENCING W/ INTERMEDIATE STONE COLUMNS  
**PERIMETER WALL - FRONT ELEVATION**

SCALE: 1/4" = 1'-0" **05**



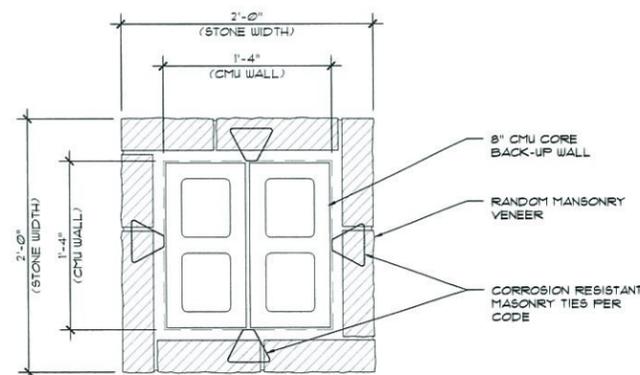
**ENLARGED MONUMENT - SIDE ELEV.**

SCALE: 1/2" = 1'-0" **04**



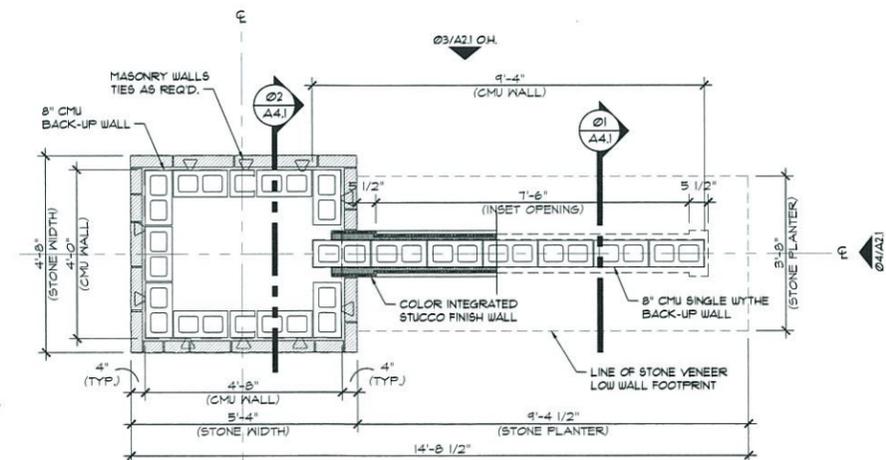
**ENLARGED MONUMENT - FRONT ELEVATION**

SCALE: 1/2" = 1'-0" **03**



TYPICAL AT PERIMETER WALL  
**STONE COLUMN PLAN DTL.**

SCALE: 1 1/2" = 1'-0" **02**



ENTRANCE 'A' AND 'B'  
**ENLARGED MONUMENT FLOOR PLAN**

SCALE: 1/2" = 1'-0" **01**

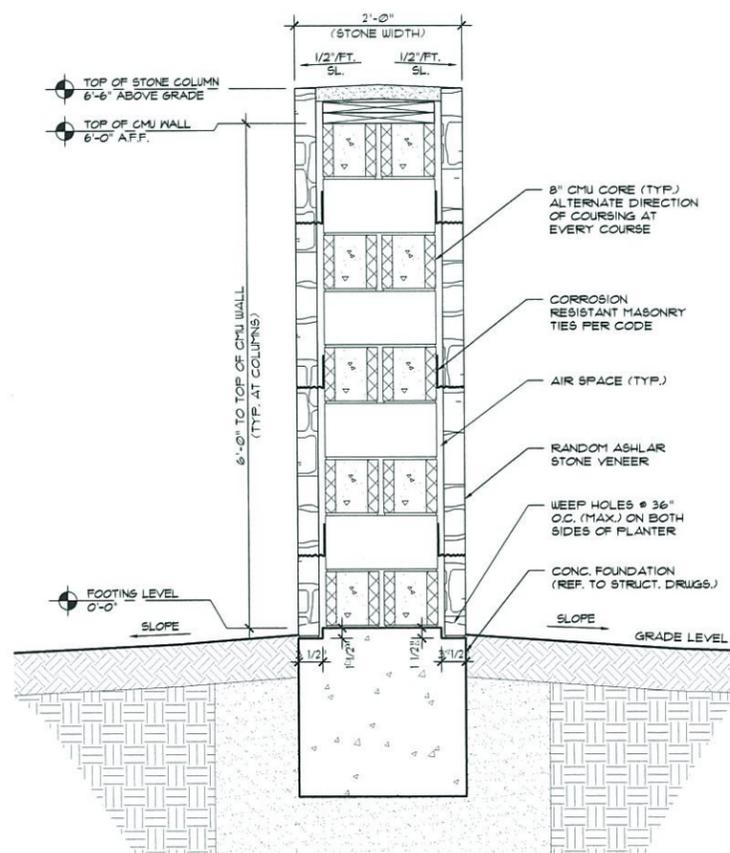


**ENTRANCE  
MONUMENT  
FOR GARDEN  
RIDGE  
SUBDIVISION**

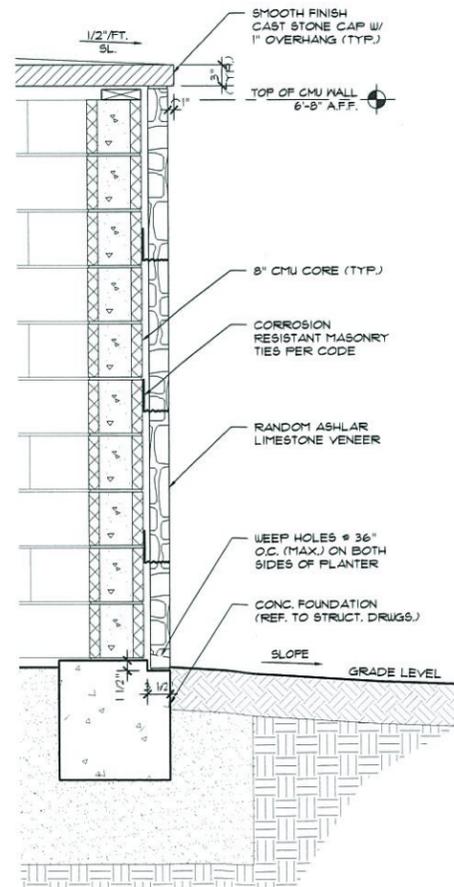
Misty Arbor St.  
Garden Ridge, TX  
78266

**REVISIONS**

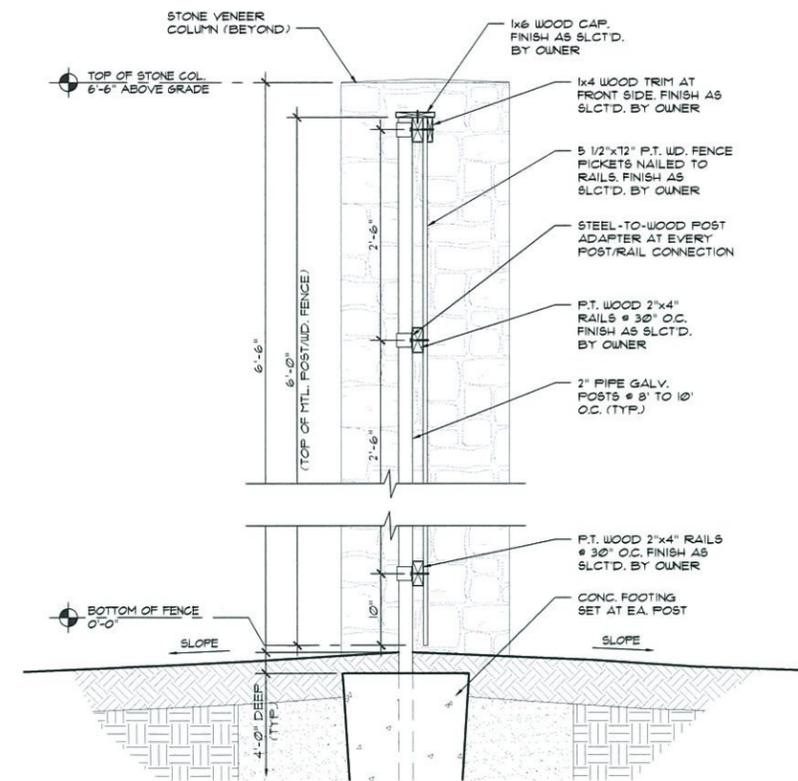
▲ CITY OF GARDEN RIDGE  
COMMENTS - 06/28/16



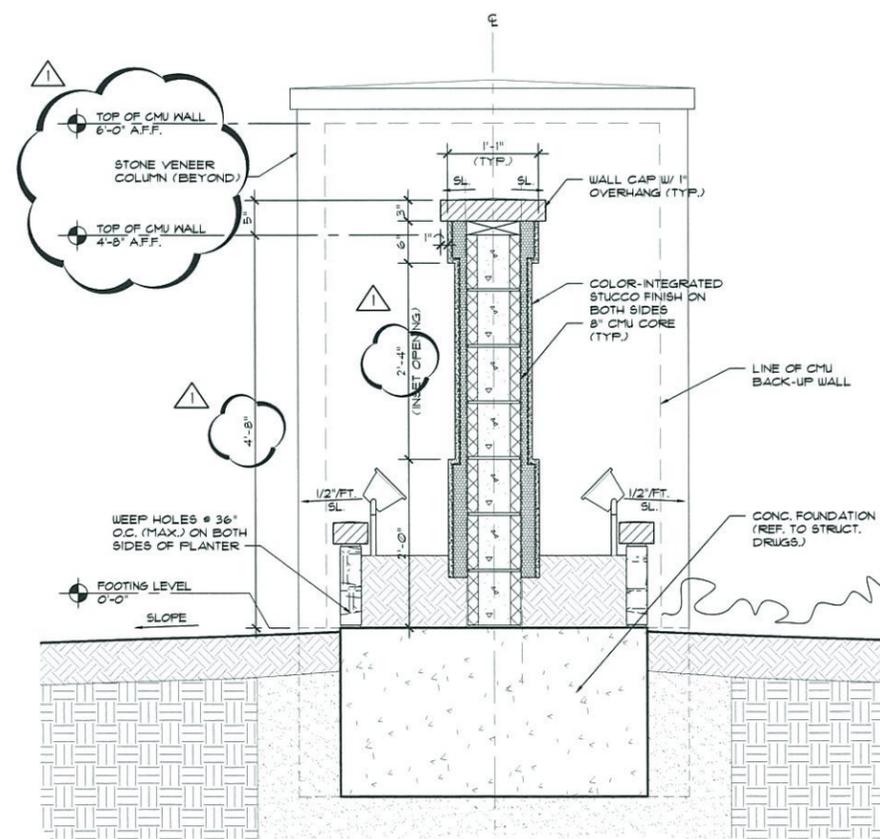
AT PERIMETER WALL  
**STONE COLUMN SECTION** SCALE: 1" = 1'-0" **03**



AT MONUMENT MARQUEE  
**STONE PYLON SECTION** SCALE: 1" = 1'-0" **02**



AT PERIMETER WALL  
**WOOD FENCE SECTION** SCALE: 1" = 1'-0" **04**



AT MONUMENT MARQUEE  
**STUCCO WALL SECTION** SCALE: 1" = 1'-0" **01**

PROJECT NUMBER  
1-1115-042

Drawn By: JMY  
Checked By: RL

Sheet Title:  
**WALL SECTIONS**

Sheet Number:

**A4.1**

Issue Date:

**07/13/16**



# City of Garden Ridge

9400 Municipal Parkway  
Garden Ridge, Texas 78266-2600  
(210) 651-6632  
Fax (210) 651-9638

## MINUTES OF PLANNING & ZONING COMMISSION REGULAR SESSION TUESDAY, JULY 12, 2016

### **Commissioners present:**

Chairman Sam Stocks  
Commissioner Kay Bower  
Commissioner Greg Czerniak  
Commissioner David Heier  
Commissioner Shawn Willis

### **Commissioners Absent:**

Vice Chairman Frank Dansby  
Commissioner Kitty Owen

### **Also Present:**

Nancy Cain, City Administrator  
Shelley Goodwin, City Secretary

### **1. Call to Order**

With a quorum of the Planning and Zoning Commission Members present, Sam Stocks, Chair called the Regular Meeting of the Garden Ridge Planning and Zoning Commission to order at 6:02 p.m. on Tuesday, July 12, 2016 in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

### **2. Citizen Comments**

No one wished to speak.

### **3. Business Items**

**The Commission may discuss, consider and/or make recommendations to Council to approve or disapprove the following items:**

- a) **Presentation and update on proposed revisions to Sign Ordinance 55 establishing, regulating and restricting the size, use, height and the location of signs in the City of Garden Ridge and the extraterritorial jurisdiction areas of the City of Garden Ridge; prescribing procedures for requesting sign variances; prescribing an application fee for all signs with the exclusion of residential real estate signs.**

Cynthia Trevino, City Attorney, provided a PowerPoint regarding changes in the law regarding signs (see attached).

The Planning and Zoning Commission discussed flag pole height, temporary signs, Ordinance enforcement, timeframe for amended Ordinance, real estate signs and election signs.

Cynthia Trevino, City Attorney, stated if anyone else had questions or comments to please forward them to the City Administrator or City Secretary.

#### **4. Administrative Items**

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

##### **a) Minutes of the June 14, 2016 Planning and Zoning Commission Meeting**

**Motion:** Upon a motion made by Commissioner Heier, and seconded by Commissioner Czernick, to approve the minutes of June 14, 2016 Planning and Zoning Commission, with corrections. The Planning and Zoning Commission voted five (5) for, none (0) opposed. The motion carried unanimously.

##### **b) Items discussed at the July 6, 2016 City Council Regular Meeting**

Kay Bower, Commissioner, reported she presented the Sahota Holdings, LLC rezoning request and Master Development Plan to the City Council and they supported the recommendation of the Planning and Zoning Commission to deny. She stated she also presented the variance request for Woods of Garden Ridge sign and again the City Council supported the recommendation of the Planning and Zoning Commission to deny.

##### **c) Set date, time and location for next meeting**

Tuesday, August 9, 2016 at 6:00pm.

#### **5. Citizen's Participation: - 3 minute limit per citizen.**

No one wished to speak.

#### **6. Adjournment**

**Motion:** Upon a motion made by Commissioner Bower and a second by Commissioner Heier, the meeting was adjourned at 7:33 p.m.

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Sam Stocks, Chair

ATTEST:

---

Shelley Goodwin, TRMC  
City Secretary

**SIGN IN TO SPEAK AT THE JULY 12, 2016  
PLANNING AND ZONING COMMISSION REGULAR MEETING**

**Rules for Citizen's Participation:**

The Planning and Zoning Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our elected officials, we request that if you speak, that you please follow these guidelines.

- a) Direct your comments to the entire Commission, not to an individual member, nor to the audience.
- b) Show the Commission the same respect and courtesy that you would like to be shown.
- c) Limit remarks to three (3) minutes per citizen during Item 3 and to three (3) minutes per citizen during Item 4.
- d) Citizens' comments will be limited to one (1) hour in Item 3 and thirty (30) minutes in Item 4.
- e) Citizen comments may be deferred to a specific Business Item set forth in Section 5, below, if such comments pertain to such Business Item

NOTE: 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. TEX. GOV'T CODE § 551.042.

**Disclaimer:**

Any disruptive behavior, including shouting or derogatory statements or comments, will 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.

NAME	ADDRESS	SUBJECT
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		



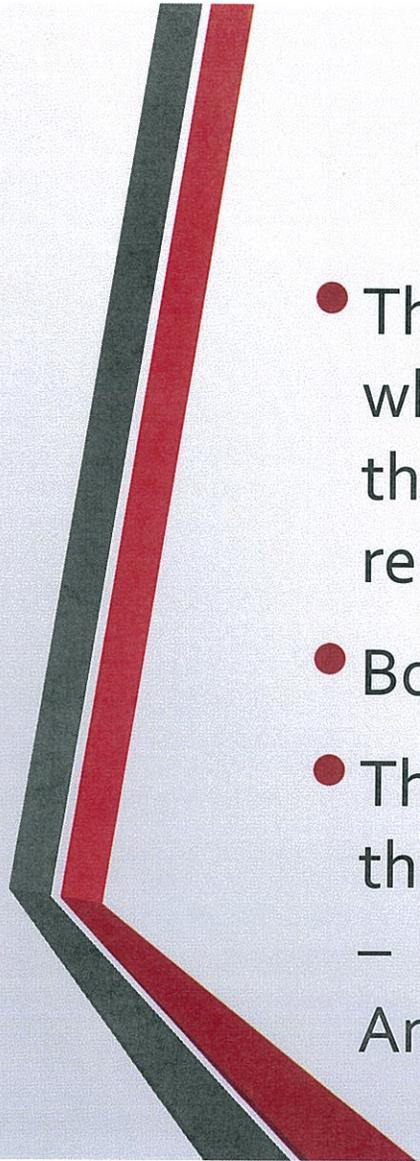
# **Sign ordinances post Reed v. Gilbert 135 S. Ct. 2218 (2015)**

Developing content neutral  
regulations for a content driven  
industry

# *Reed v. Town of Gilbert*

- **Case Summary**

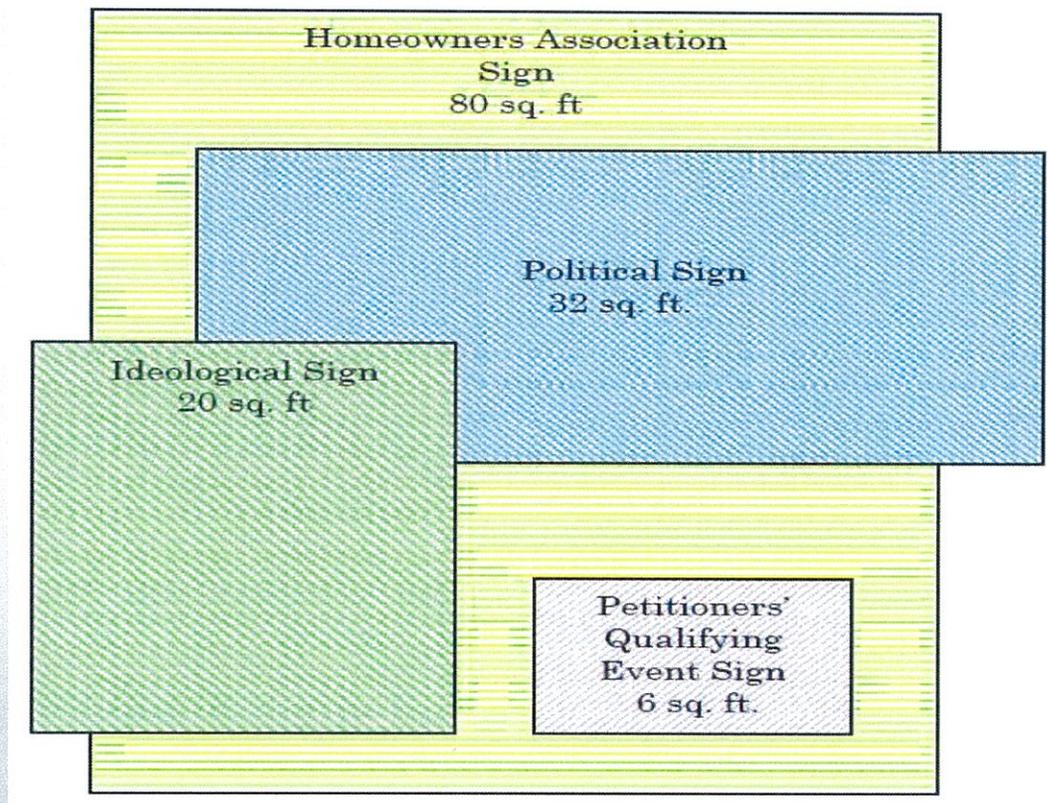
- Good News Community Church is a small church located in Gilbert, Ariz. The church rents space in temporary locations for its weekly service. It uses small, temporary signs to invite and direct the community to its services.
- The Town of Gilbert Sign Code imposes strict limits on the size, location, number, and duration of the church's signs. It does not impose the same restrictions on political, ideological, and homeowners' association signs. *If the church violates the code, Pastor Reed could be fined and possibly jailed.*



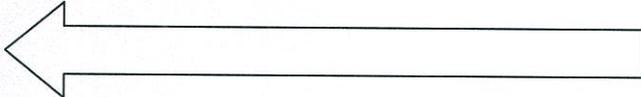
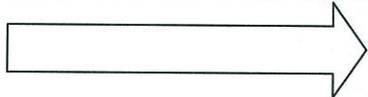
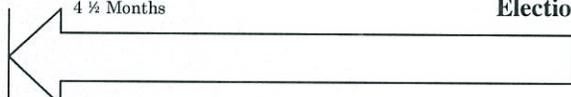
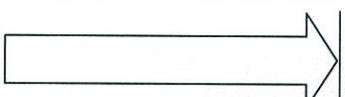
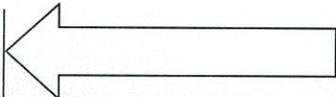
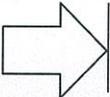
## *Reed v. Town of Gilbert*

- The text of the town's code regulates signs based on what they say, and the town was alleged to be applying the code in a manner that singled out the church's religious speech for discriminatory treatment.
- Both are impermissible under the First Amendment.
- The church filed suit against the town in 2007, arguing that the code – *both as written and as applied to its signs* – is an unconstitutional restriction on its First Amendment right to free speech.

# *Reed v. Town of Gilbert*



# Reed v. Town of Gilbert

Display Time Before	Sign Content	Display Time After
Unlimited		Unlimited
	<b>Ideological</b>	
4 ½ Months 	<b>Election</b>	15 Days 
30 Days 	<b>HOA Event</b>	 48 hrs
16 hrs 	<b>Real Estate Sale</b>	 36 hrs
12 hrs 	<b>Religious Event</b>	 1 hr

# *Reed v. Town of Gilbert*

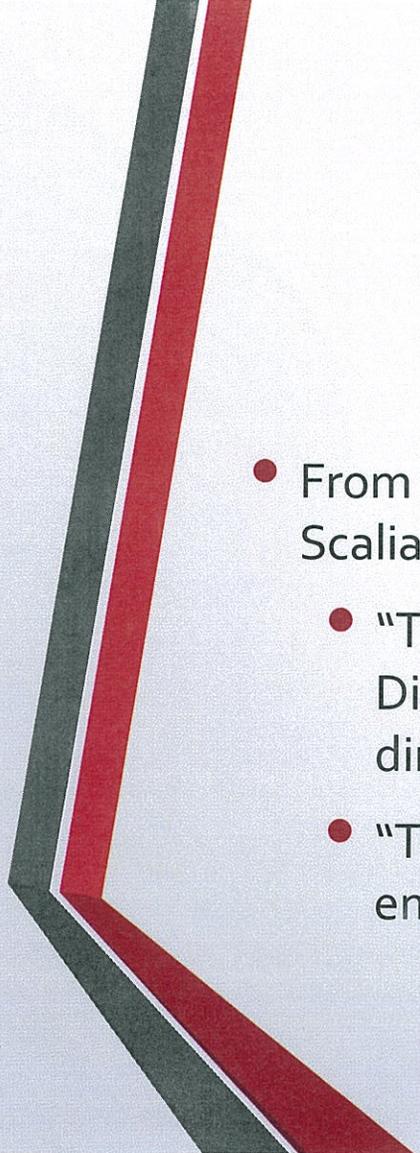
Political signs in Gilbert Arizona which are permitted virtually all year long.



# *Reed v. Town of Gilbert*



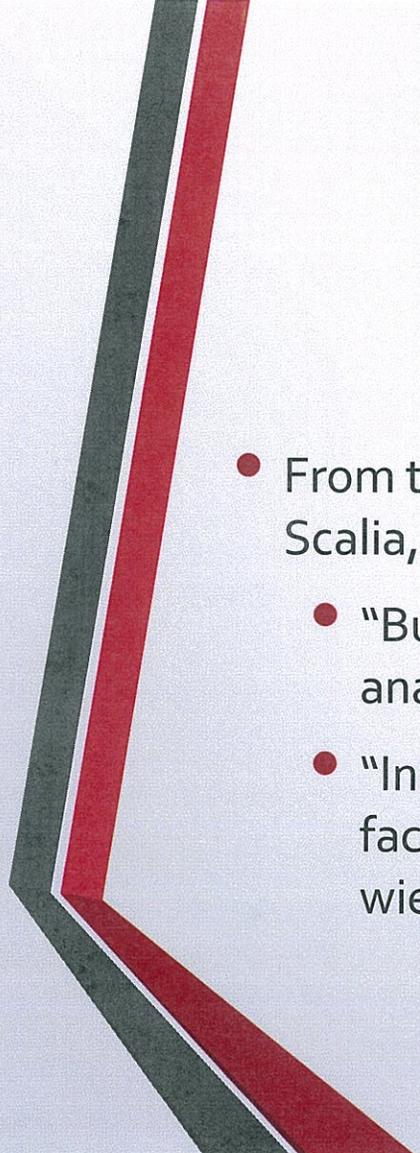
But the town's strict limitations on the church's signs make it highly unlikely that drivers would ever see a sign inviting them to the church's services. *The town essentially only allows the church's message to be displayed overnight, under the cover of darkness, and in the early morning hours.*



# *Reed v. Town of Gilbert*

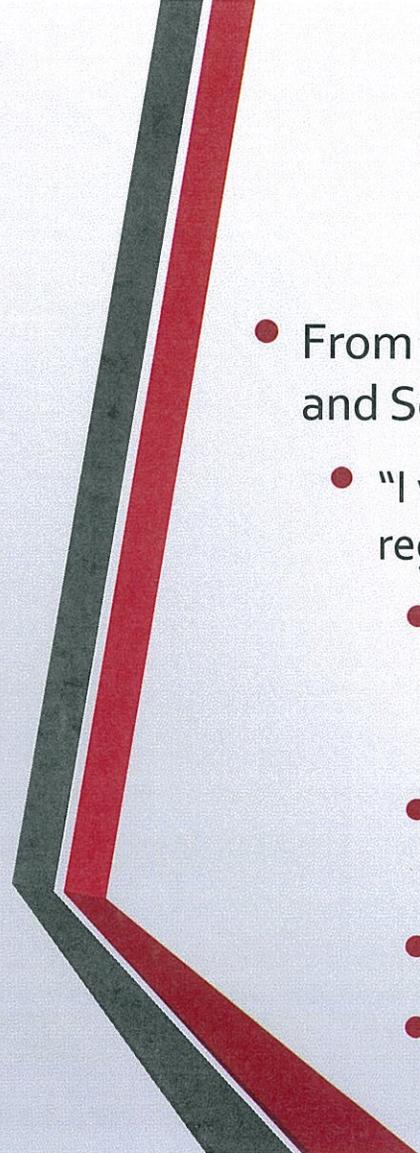
## Key Quotes

- From the Majority Opinion, written by Justice Thomas (joined by Justices Roberts, Scalia, Kennedy, Alito, and Sotomayor)
  - “The Town’s Sign Code is content based on its face. It defines ‘Temporary Directional Signs’ on the basis of whether a sign conveys the message of directing the public to church or some other ‘qualifying event.’”
  - “The restrictions in the Sign Code that apply to any given sign thus depend entirely on the communicative content of the sign.”



## *Reed v. Town of Gilbert* Key Quotes

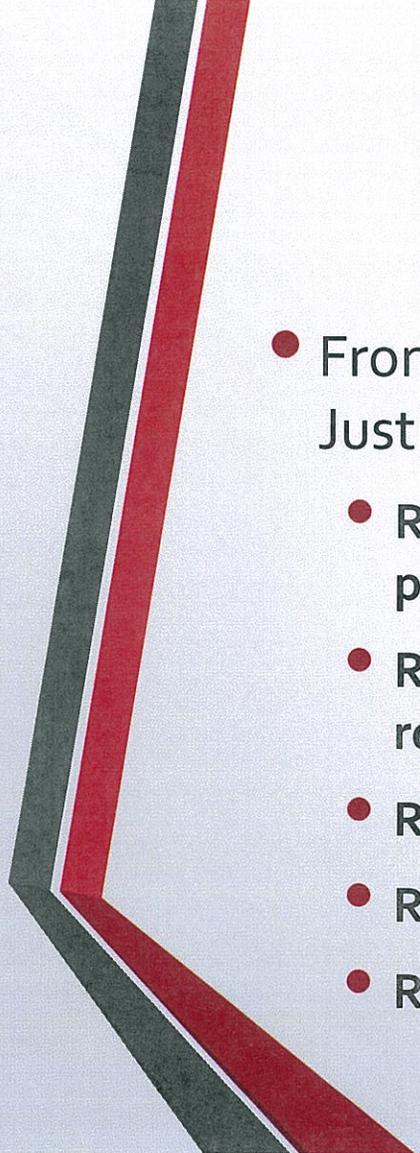
- From the Majority Opinion, written by Justice Thomas (joined by Justices Roberts, Scalia, Kennedy, Alito, and Sotomayor)
  - “But [The Town’s] analysis skips the crucial first step in the content-neutrality analysis: determining whether the law is content neutral on its face.”
  - “Innocent motives do not eliminate the danger of censorship presented by a facially content-based statute, as future government officials may one day wield such statutes to suppress disfavored speech.”



## *Reed v. Town of Gilbert*

# Key Quotes

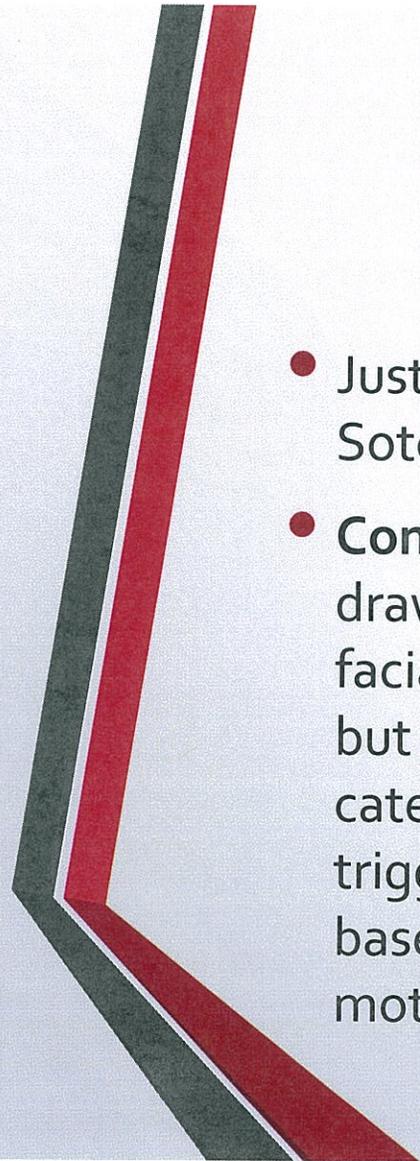
- From the Concurring Opinion written by Justice Alito (joined by Justices Kennedy and Sotomayor)
  - “I will not attempt to provide anything like a comprehensive list [of reasonable sign regulations], but here are some rules that would not be content based:
    - **Rules regulating the size of signs.** These rules may distinguish among signs based on any content-neutral criteria, including any relevant criteria listed below.
    - **Rules regulating the locations in which signs may be placed.** These rules may distinguish between freestanding signs and those attached to buildings.
    - **Rules distinguishing between lighted and unlighted signs.**
    - **Rules distinguishing between signs with fixed messages and electronic signs with messages that change.**



## *Reed v. Town of Gilbert*

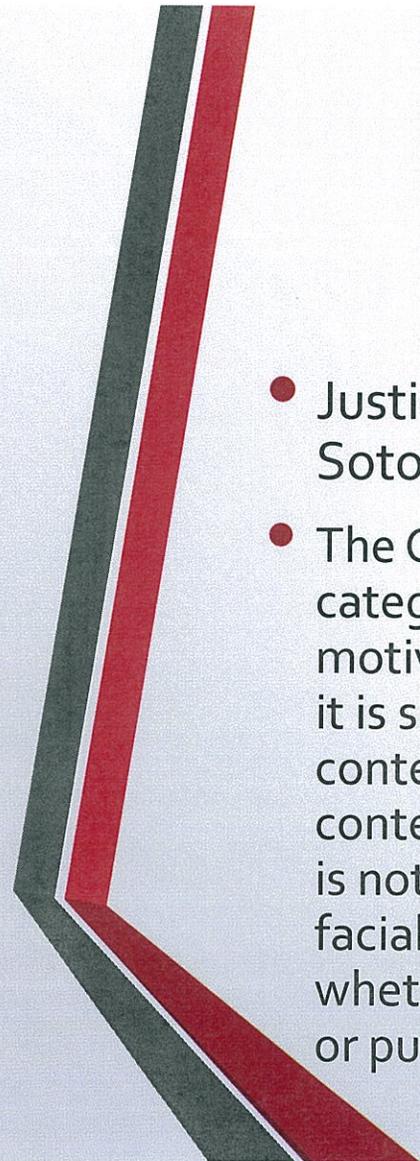
# Key Quotes

- From the Concurring Opinion written by Justice Alito (joined by Justices Kennedy and Sotomayor)
  - Rules that distinguish between the placement of signs on private and public property.
  - Rules distinguishing between the placement of signs on commercial and residential property.
  - Rules distinguishing between on-premises and off-premises signs.
  - Rules restricting the total number of signs allowed per mile of roadway.
  - Rules imposing time restrictions on signs advertising a one-time event.



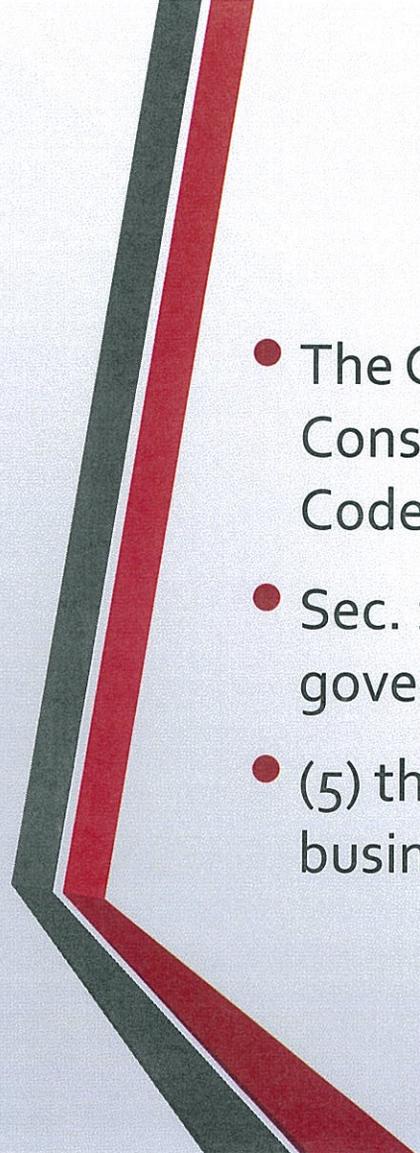
## *Reed v. Town of Gilbert* Opinion Summary

- Justice Thomas' Opinion (Roberts, Scalia, Kennedy, Thomas, Alito, Sotomayor)
- **Content-based laws trigger strict scrutiny.** A law is content based if it draws distinctions based on the message a speaker conveys. A law is facially content based not only if it defines speech by its subject matter, but also if it defines speech based on its function or purpose. Both categories wholly depend on the message a speaker conveys and thus trigger strict scrutiny. A law may also be content based if it was adopted based on the government's disagreement with a message, but such illicit motivations are not required



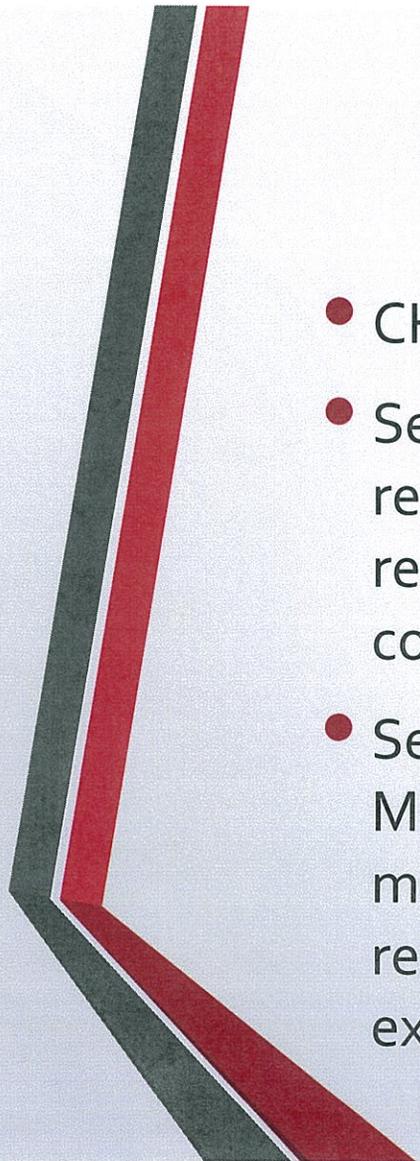
## *Reed v. Town of Gilbert* Opinion Summary

- Justice Thomas' Opinion (Roberts, Scalia, Kennedy, Thomas, Alito, Sotomayor)
- The Code is content based on its face because the Temporary Directional Sign category only applies to signs that direct the public to an event. The Town's motives for enacting the Code are irrelevant. If a law is content based on its face, it is subject to strict scrutiny regardless of the government's benign motive, content-neutral justification, or lack of animus towards the ideas expressed. A content-based purpose is sufficient to show a regulation is content based but it is not and has never been required. No innocuous justification can transform a facially content-based law into a content-neutral one. Courts must consider whether a law is facially content neutral *before* turning to the law's justification or purpose.



# Municipal authority to regulate

- The City Council is authorized to regulate signs by virtue of the Texas Constitution, the City's police power, and Texas Local Government Code Chapters 216 and 211
- Sec. 211.003. ZONING REGULATIONS GENERALLY. (a) The governing body of a municipality may regulate:
- (5) the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes



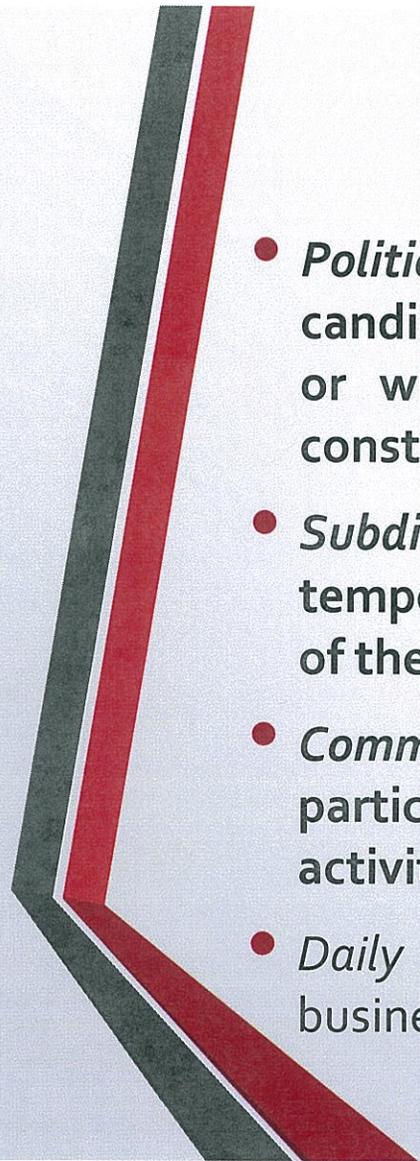
# Municipal authority to regulate

- CHAPTER 216. REGULATION OF SIGNS BY MUNICIPALITIES
- Sec. 216.003. MUNICIPAL REGULATION. (a) Subject to the requirements of this subchapter, a municipality may require the relocation, reconstruction, or removal of any sign within its corporate limits or extraterritorial jurisdiction.
- Sec. 216.902. REGULATION OF OUTDOOR SIGNS IN MUNICIPALITY'S EXTRATERRITORIAL JURISDICTION. (a) A municipality may extend the provisions of its outdoor sign regulatory ordinance and enforce the ordinance within its area of extraterritorial jurisdiction...



# Identified areas of concern

- *Historic sign* means a sign that is an integral part of the historical character of a landmark building or historic district.
- *Holiday sign* means a temporary display or decoration customarily associated with any national, state, local, or religious holiday or celebration.
- *Home occupation signs* means signs that advertise for a business that is operated in a home located in a residential zone.
- *Off-premises sign* means a sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.
- *On-premises sign* means a sign identifying or advertising a business, person, or activity that is installed and maintained on the same premises as the business, person, or activity.



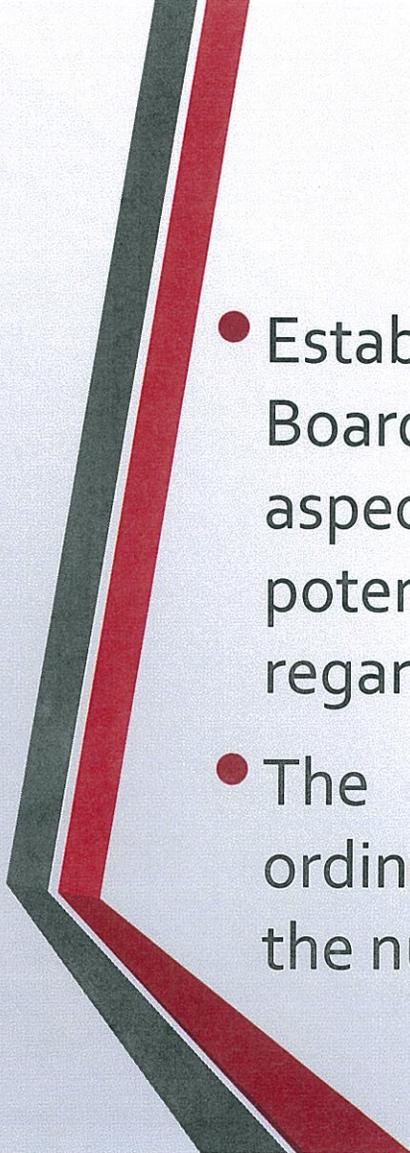
## Identified areas of concern

- *Political sign* means signs which by their content support or oppose any candidate for public office or any proposition to be voted upon at an election or which make a political or ideological statement in the nature of constitutionally protected noncommercial free speech.
- *Subdivision sign* means any sign used to advertise a specific subdivision; a temporary sign designed in such a way as to indicate the name and location of the specific community.
- *Community service sign* means a sign which solicits support for or participation in a nonprofit, nonpolitical, community, public, social event, or activity.
- *Daily display/promotional signs* means nonpermanent signs relating to the business conducted on the premises.



# Identified areas of concern

- ***Event signs, off-site***, means signs giving directions to an occasional event at another location, other than a business event at an establishment, such as directions to a civic or other noncommercial ceremony, to an event for the members of an organization, or to an event at a residence such as a garage sale or private party.
- ***Event signs, on-site***, means signs which are placed to advertise or mark the location of an occasional event on the same site, other than a business event, at an establishment, such as a civic or other noncommercial ceremony, an event for the members of an organization, or private party.
- ***Flag/patriotic*** means a national, state, church, school flags, or any other flag that constitutes protected noncommercial free speech. A fabric sheet attached at one end to a pole, cable, or rope.



## Key recommendations

- Establish the Planning and Zoning Commission and Zoning Board of Adjustment as additional authorities over certain aspects of the approval and appeal process and because the potential constitutional challenges that could come regarding LGC Chapter 216.
- The removal of all content based regulation within the ordinance and replacing it with neutral regulation based on the number, size and other neutral factors.

# Remaining area of concern

- Sec. 216.903. REGULATION OF POLITICAL SIGNS BY MUNICIPALITY. (a) In this section, "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose.
- (b) A municipal charter provision or ordinance that regulates signs may not, for a sign that contains primarily a political message and that is located on private real property with the consent of the property owner:
  - (1) prohibit the sign from being placed;
  - (2) require a permit or approval of the municipality or impose a fee for the sign to be placed;
  - (3) restrict the size of the sign; or
  - (4) provide for a charge for the removal of a political sign that is greater than the charge for removal of other signs regulated by ordinance.
- (c) Subsection (b) does not apply to a sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.
- (d) Subsection (b) does not apply to a sign that:
  - (1) has an effective area greater than 36 feet;
  - (2) is more than eight feet high;
  - (3) is illuminated; or
  - (4) has any moving elements.



I don't  
always go  
to yard  
sales.  
but when I  
do, I turn  
here ←

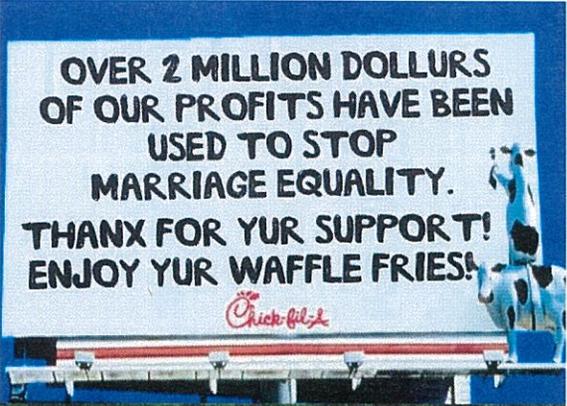


GOING TO  
JAIL  
SALE  
2835 W ALAMEDA

TAKE MY  
EX'S STUFF  
YARD SALE  
IT'S ALL GOTTA GO! JUST  
LIKE HIM!

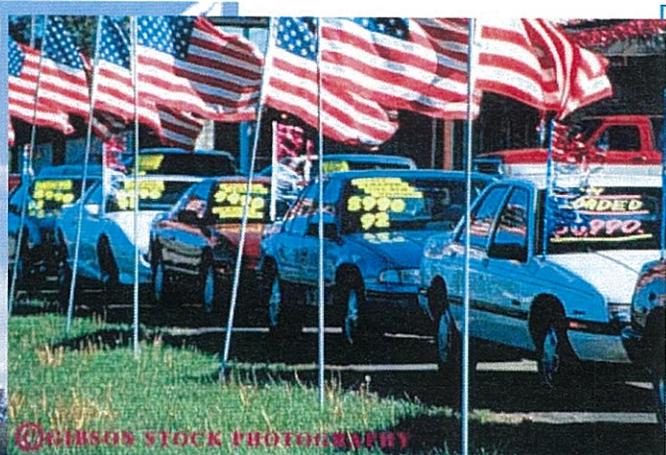


OMG  
Becky Look  
AT HER  
SALE  
it is so big.  
Palisades Sata Tam



↑  
This is a billboard

This is not a billboard →



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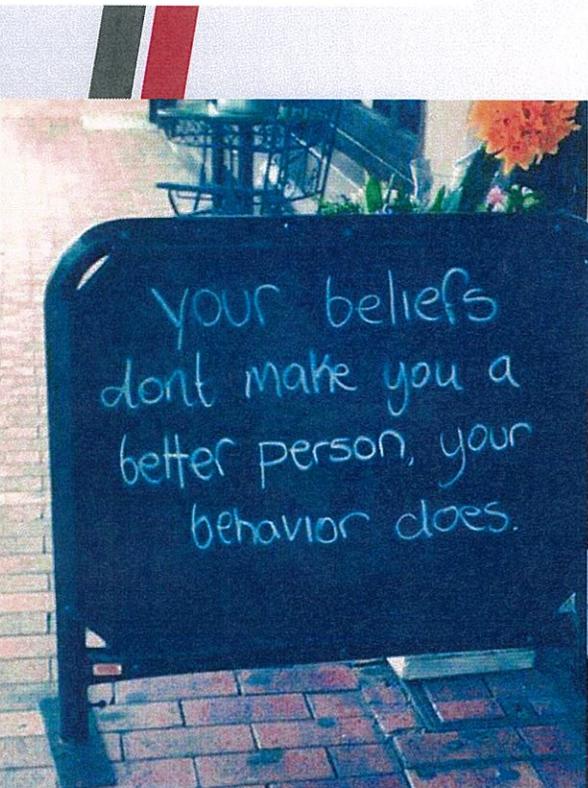
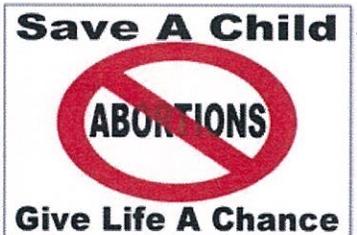
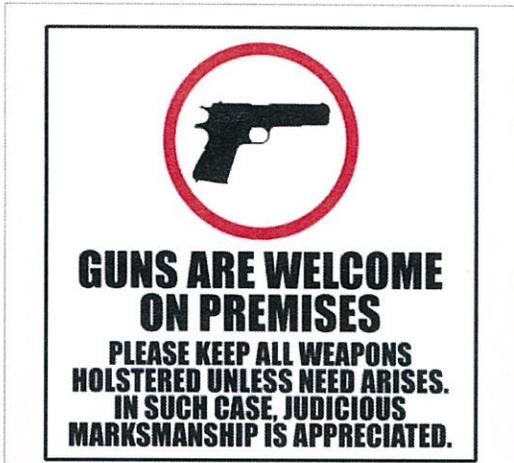
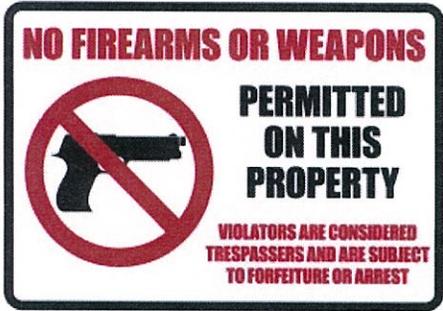
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 TEARDROP 13ft  
 MAMBA 17ft  
 SPLASH  
 MAMBA  
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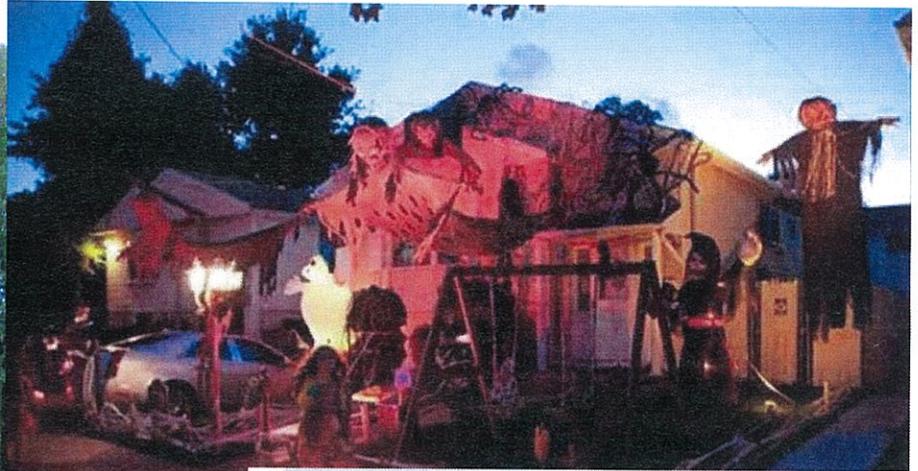
THE WINNING TRADITION  
OF THE UNICORNS  
WILL NOT BE  
ENTRUSTED  
TO THE TIMID  
OR TO THE WEAK





# ISLAM

is the religion of peace and mercy  
The true message of god  
لا إله إلا الله







# Questions?

**DNRBHZ**  
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