CALL TO ORDER – Roll Call and Determination of a Quorum

The Planning and Zoning Commission met on the above date. Chairperson Wright called the meeting to order at 7:01 P.M.

Commissioners Present:

X	Chairperson Wright	X	Commissioner Stone
X	Commissioner Schroeder	X	Commissioner Lozano
X	Commissioner Stanislav		

X	Alternate Raney		Alternate Herzberger
X	Alternate Sutaria		

Staff Present

X	City Administrator Flanigan	X	City Secretary Smith

Others Present

X	Councilmember Sumrow

PLEDGE OF ALLEGIANCE

The pledge to the American and Texas flag was recited.

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MEETING MINUTES FOR AUGUST 9, 2012.

   MOTION: Commissioner Lozano moved to approve the minutes of August 9, 2012 as written. Commissioner Stone seconded with Commissioners Stone, Schroeder, Wright, Lozano and Stanislav voting for. Motion carried 5-0.

   Chairperson Wright gave a brief PowerPoint presentation regarding his thoughts on the Commissions responsibilities. The Commission should identify the problem. Is the problem consistent and is it a city or citizen issue? (See Exhibit A)

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION TO AMEND THE CITY ORDINANCES ON PASTURE MAINTENANCE (ORD. 553 & 571, CODIFIED IN THE PARKER MUNICIPAL CODE CHAPTER 94).

Citizen Input – Resident Todd Fecht, 7234 Moss Ridge - Mr. Fecht currently allows a portion of his 2.2 acre, residential lot to grow taller than the allowed 12-inches to serve as a wildlife habitat for Quail and Chuckers. He was required to mow and lost most of the Chuckers. He would like Parker to maintain the country life style and modify the ordinance for this type of use.

City Administrator Flanigan noted the City has a blanket Ordinance that does not always serve the whole City. There are approximately 30 to 50 complaints on high grass per year. Subdivisions with an HOA are monitored by the association and are much easier to control. Properties without an HOA are more difficult. Some properties serve as agricultural and are baled, some plant floriculture and do not mow until the flowers have gone dormant and the seeds drop.

Councilmember Sumrow requested this item be brought to the Commission for discussion and was present to answer questions. Her concern is the code enforcement of the ordinance.

The Commission agreed the ordinance should be modified to address variances in uses. Commissioner Stone will do some research and bring back to the Commission before asking City Attorney Shepherd to re-write the ordinance.

The Commission would like to ask the Council to put a moratorium on the enforcement of 12-inch grass restrictions in the current ordinance for 6-months to allow the commission to complete their research. Going into the Fall and Winter months this should not be an issue.

MOTION: Commissioner Stone moved to recommend a moratorium on the enforcement of 12-inch height of grass restrictions for a period of 6-months or until a new ordinance is adopted, beginning September 27, 2012, while the Commission prepares recommended changes to the ordinance. Commissioner Lozano seconded.

It was discussed and clarified that enforcement must continue if obstruction of visibility is the issue due to this being a safety hazard.

Commissioners Stone, Schroeder, Wright, Lozano and Stanislav voted for. Motion carried 5-0.

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION TO AMEND THE CITY ORDINANCES ON FENCES (COMPREHENSIVE ZONING ORDINANCE 483, CODIFIED IN THE PARKER MUNICIPAL CODE CHAPTER 156).

Councilmember Sumrow asked the Commission to clarify if a gate is part of the fence and would follow the same rules? City Administrator Flanigan noted that a permit is not required for a gate and the fire department can access the property if a gate is in place.

Commission discussed the issue and agreed this is not currently a problem and no action should be taken.

MOTION: Commissioner Lozano moved to recommend no action be taken. Commissioner Stone seconded with Commissioners Stone, Schroeder, Wright, Lozano and Stanislav voted for. Motion carried 5-0.

ROUTINE ITEMS
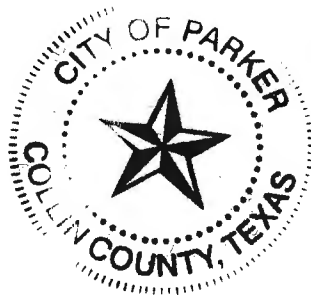
4. FUTURE AGENDA ITEMS

   Future training for commissioners
   Next regular meeting is October 25th.

5. ADJOURN

   Adjourned at 8:32 p.m.

Minutes Approved on _13_ day of _Dec._ , 2012.

_____
Chairman Russell Wright

Attest:

_____
Commission Secretary Stanislav

_____
Prepared by City Secretary Carrie L. Smith

Thoughts on Reviewing Zoning Ordinances

Russell Wright
9/27/2012

What is the Problem?

- Is there a consistent problem the city is dealing with?
- Are the issues city issues or citizen issues?

General

- Is it covered by other ordinances?
- Related to common infrastructure?
- Is there a nuisance component?
- "What if?"
  - Are the issues real?
- Timing
  - Don't get in a rush to a conclusion
- Can it/will it/how will it be enforced?
- Opinion
  - What constitutes good/bad

Parker Considerations

- Many diverse areas of Parker
  - HOA/non-HOA
  - Agricultural/City residential
  - Old/New
- One size probably doesn't fit all
- Grandfathering
- Will anyone really notice relative to the size?
- Overly complex?

Health/Safety

- Are there real safety issues?
- Should a citizen be allowed to make decisions that affect their own safety and that of their family?
- Is there something that is putting others at risk?

Community Impact / Freedom

- More rules and regs = less freedom
- Is it something a city should control?
  - Why?
- How would you feel if it directly affected you?
- Does it have the potential to be misused?
  - Spite
- Will it withstand a legal challenge?
- Does it directly conflict with freedoms guaranteed by our founding documents?