



NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BURNET, TEXAS

This notice is posted pursuant to the Texas Local Government Code, Chapter §551 – Open Meetings.

Notice is hereby given that the **Public Hearing and Regular Meeting of the Planning and Zoning Commission** of the City of Burnet, Texas will be held on Monday, **December 5, 2022**, at **6:00 p.m.** at the City of Burnet's Council Chambers located at 2402 S Water St., Burnet, Texas 78611 at which time the following subjects will be discussed, to-wit:

1. CALL TO ORDER:

2. ROLL CALL:

3. CONSENT AGENDA ITEMS: All the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.

- 3.1) Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on November 7, 2022.

4. PUBLIC HEARINGS:

- 4.1) Public Hearing and Consideration of the following: Adoption and Amendments of the Zoning Ordinance presented by Assistant City Manager, Habib Erkan.

- a) AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") FOR THE PURPOSE OF AMENDING THE MUNICIPAL GOLF COURSE VEGETATIVE BUFFER DEFINITIONS AND REQUIREMENTS PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – H. Erkan
- (2) Public Hearing
- (3) Consideration and action.

5. DISCUSS AND REVIEW:

- 5.1) Review and discuss Planning and Zoning By-Laws for amendment

6. STAFF REPORTS:

7. REQUESTS FOR FUTURE AGENDA ITEMS:

ADJOURN

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Burnet, is a true and correct copy of said notice and that I posted a true and correct copy of said notice on the bulletin board, in the City Hall of said City, Burnet, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on December 2, 2022 at or before 5 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 2nd day of December 2022

Kelly Dix, City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The City of Burnet Council Chambers is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the Development Services Department at (512) 715-3215, FAX (512) 756-8560 or e-mail at lkimbler@cityofburnet.com for information or assistance.



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Notice is hereby given that the **Public Hearing and Regular Meeting of the Planning and Zoning Commission** of the City of Burnet, Texas will be held on Monday, **November 7, 2022**, at **6:00 p.m.** at the City of Burnet's Council Chambers located at 2402 S Water St., Burnet, Texas 78611 at which time the following subjects will be discussed, to-wit:

1. CALL TO ORDER:

The meeting was called to order at 6:00 p.m. by Chairman Gaut

2. ROLL CALL:

Members present: Tommy Gaut, Derek Fortin, and Glen Gates

Members Absent: Glen Teague, Calib Williams

Guests: Denise Downs

Others present: Habib Erkan, Asst. City Manager, Leslie Kimbler, Planning Manager and Bryce Van Arsdale, Planner

3. **CONSENT AGENDA ITEMS:** All the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.

- 3.1) Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on August 3, 2022

There being no objections, Chairman Gaut approved the minutes from November 7, 2022.

4. PUBLIC HEARINGS:

- 4.1 Public Hearing and Consideration of the following: Adoption and Amendments of the Zoning Ordinance and Zoning Classifications presented by Bryce Van Arsdale, Planner.

- a) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") BY AMENDING SEC. 118-26 (ENTITLED "SINGLE-FAMILY RESIDENTIAL ESTATE – DISTRICT "R-1 E"") BY PROVIDING FOR A ONE-ACRE MINIMUM LOT SIZE AND 2100 SQUARE FOOT MINIMUM LIVING AREA SIZE IN ZONING DISTRICTS CLASSIFIED AS SINGLE-FAMILY RESIDENTIAL ESTATE – DISTRICT "R-1 E"; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE:

- (1) Staff Presentation – B. Van Arsdale
- (2) Public Hearing
- (3) Consideration and action.

Bryce Van Arsdale, Planner, presented staff's report regarding the amendment to City of Burnet Code of Ordinances, Chapter 118 (Entitled "Zoning") by amending Section 118-26 (Entitled "Single-Family Residential Estate – District "R-1 E"").

Chairman Gaut opened the floor for public hearing at 6:02 p.m.

There being no comment, the floor was closed at 6:02 p.m.

Commissioner Fortin made a motion to recommend approval of the ordinance as presented. The motion was seconded by Commissioner Gates. The motion carried with a vote of 3 to 0.

- b) AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") SECTION 118-22 (ENTITLED ZONING OF ANNEXED AREAS") BY AUTOMATICALLY CLASSIFYING NEWLY ANNEXED TERRITORY AS RESIDENTIAL DISTRICT "R-1E" SINGLE-FAMILY ESTATE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

- (1) Staff Presentation – B. Van Arsdale
- (2) Public Hearing
- (3) Consideration and action.

Bryce Van Arsdale, Planner, presented staff's report regarding the amendment to City of Burnet Code of Ordinances, Chapter 118 (Entitled "Zoning") by amending Section 118-22 (Entitled "Zoning of Annexed Areas")

Chairman Gaut opened the floor for public hearing at 6:05 p.m.

There being no comment, the floor was closed at 6:05 p.m.

Commissioner Fortin made a motion to recommend approval of the ordinance as presented. The motion was seconded by Commissioner Gates. The motion carried with a vote of 3 to 0.

5. STAFF REPORTS:

Staff mentioned presenting a "Quarterly Development Services" report to the Commission starting at the beginning of the New Year.

6. REQUESTS FOR FUTURE AGENDA ITEMS:

7. ADJOURN: Commissioner Gaut adjourned the meeting at 6:07p.m.

Tommy Gaut, Chair
City of Burnet Planning and Zoning Commission

Attest: _____
Herve Derek Fortin, Secretary



Development Services

ITEM 4.1 A

Habib Erkan Jr.
Assistant City Manager
512-715-3201
herkan@cityofburnet.com

Public Hearing and Commission Report

Meeting Date: December 5, 2022

Agenda Item: Public Hearing and Commission report on a proposed Ordinance amending the Burnet City Code of Chapter 118 for the purpose of amending the municipal golf course vegetative buffer definitions and requirements (H. Erkan Jr, Assistant City Manager)

Background: The municipal golf course vegetative buffer was established by Ordinance No. 2022-12. The ordinance established a 25-foot-wide municipal golf course vegetation buffer on lots abutting the golf course. The ordinance prohibits fences or structures within the buffer area.

Information: Recently a property owner has asked to install a wrought iron fence on his property. Staff has reviewed the request and determined that there are some golf course lots where decorative fences could be allowed without undermining the purpose of Ordinance No. 2022-12. This ordinance with authorize the city manager to issue waivers to the prohibition against fences in the Municipal Golf Course Vegetative Buffer subject to all of the following:

- (1) The City Manager finds the location where the lot to be fenced abuts the golf course is not in an area adjoining a tee-boxes, fairways, putting greens and irrigation terminals, or is of such distance from tee-boxes, fairways, putting greens, and irrigation terminals as to not interfere with play or irrigation;
- (2) The proposed fence must be constructed of decorative iron or similar materials;
- (3) Privacy fencing shall not be approved; and
- (4) The subject lot shall comply with all other requirements of subsection (d) above.

Further the ordinance directs the City Manager to consult with the Golf Course Supervisor regarding the appropriateness of granting any application for waiver; and corrects a scrivener's error related to

the Golf Course Boundary Agreement's instrument number as recorded in the public records of Burnet County.

Fiscal Impact No direct fiscal impact is anticipated.

Recommendation: Open the Public Hearing.

ORDINANCE NO. 2022-XX

AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED “ZONING”) FOR THE PURPOSE OF AMENDING THE MUNICIPAL GOLF COURSE VEGETATIVE BUFFER DEFINITIONS AND REQUIREMENTS; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City owns and operates the Delaware Springs municipal golf course; and

WHEREAS, pursuant to Ordinance No. 2022-12, City Council established a 25-foot-wide municipal golf course vegetation buffer, (hereinafter sometimes the “buffer”) on properties adjoining the golf course; and

WHEREAS, the purpose of the buffer is to protect and preserve the function and aesthetics of the municipal golf course; and to protect the rights and interest of owners of properties abutting the municipal golf course to unobstructive views of the course from their properties; and

WHEREAS, the construction of fences or other structures is prohibited in the buffer area; and

WHEREAS, City Council has determined that a waiver of the fence prohibition may be warranted in certain circumstances; and

WHEREAS, on December 5, 2022, the Planning and Zoning Commission conducted a public hearing to receive comments and testimony on the merits of the code amendments proposed by this ordinance; and

WHEREAS, at the conclusion of the public hearing, the Planning and Zoning Commission made a recommendation to City Council as to the merits of the proposed code amendments; and

WHEREAS, on December 13, 2022, City Council conducted a public hearing; to receive comments and testimony on the merits of the proposed code amendments; and

WHEREAS, The City Council, after due consideration of the Planning and Zoning Commission recommendation; the comments and testimony of public; and the recommendation of City staff; finds adoption of the proposed code amendments will promote the public health, safety, morals, and the general welfare; and

WHEREAS, City Council, finds, determines, and declares that publication of notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of Texas, was made by the City Secretary within the periods prescribed by Section 3.14 and state law; and

WHEREAS, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section one. Amendment. The Code of Ordinances, Chapter 118 (entitled “*Zoning*”) Section is hereby amended by correcting a scrivener’s error in Section 118-5 (entitled “*Definitions*”) by adding language that is underlined (underlined) as follows:

Sec. 118-5. Definitions.

Boundary Agreement means that certain written instrument recorded in the Public Records of Burnet County as Document No. 201401086.

Section two. Amendment. The Code of Ordinances, Chapter 118 (entitled “*Zoning*”) Section is hereby amended by adding the underlined (underlined) language to Section 118-63 (entitled “*Municipal Golf Course Vegetative Buffer Requirements*”) subsection (d) (entitled “*use Limitations*”) as follows:

- (d) Use Limitations. The use of the municipal golf course vegetation buffer, within a Golf Course Lot, shall be restricted to a vegetation buffer and, except as provided subsection (f) below, no fence or structure shall be permitted therein. The municipal golf course vegetation buffer may be maintained in its natural state or may be landscaped by the planting of non-native vegetation and decorative stones; provided such stones do not create a wall or other barrier between the buffer and municipal golf course.

Section three. Amendment. The Code of Ordinances, Chapter 118 (entitled “*Zoning*”) Section is hereby amended by adding to Section 118-63 (entitled “*Municipal Golf Course Vegetative Buffer Requirements*”) new subsections (f) (entitled “*Decorative Fence Waivers*”) and (g) (“*Administration*”) to read as follows:

- (f) *Decorative fence waivers.* The City Manager is authorized to issue waivers to the prohibition against fences in the Municipal Golf Course Vegetative Buffer subject to all of the following:
 - (5) The City Manager finds the location where the lot to be fenced abuts the golf course is not in an area adjoining a tee-boxes, fairways, putting greens and irrigation terminals, or is of such distance from tee-boxes, fairways, putting greens, and irrigation terminals as to not interfere with play or irrigation;
 - (6) The proposed fence must be constructed of decorative iron or similar materials;

- (7) Privacy fencing shall not be approved; and
- (8) The subject lot shall comply with all other requirements of subsection (d) above.

Commentary: The installation of a fence on the golf course property line raises the potential for activity on the property such as barking dogs to disturb golfers. Therefore, the purpose of the limitation stated in subsection (f) (1) is to alleviate that potential from arising near areas where golfing actions (e.g. teeing off, driving, putting) occur.

- (g) *Administration.* In the administration of subsection (f) above, the City Manager shall consult with the Golf Course Supervisor regarding the appropriateness of granting any application for waiver. Moreover, the City Manager is authorized to establish procedures and forms to process applications for decorative fence waivers.

Section four. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section five. Penalty. A violation of this ordinance is unlawful and subject to City Code of Ordinances Sec. 1-6 (entitled “*General Penalty*”).

Section six. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event Section 5, (entitled “*Repealer*”) shall be controlling.

Section seven. Repealer. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section eight. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section nine. Publication. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section eleven. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof.

Passed on first reading on the 13th day of December 2022

Passed, Approved and Adopted on the 10th day of January 2023

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

From: [ML Govaars](#)
To: [Leslie Kimbler](#)
Subject: Public hearing re:golf course buffer
Date: Wednesday, November 30, 2022 12:21:43 PM

Caution: External Email

City of Burnet Planning and Zoning Commission and City Council,

This is a letter directed toward the proposed amendment to City Code of Ordinances Chapter 118 (entitled “Zoning”) as follows:

An ordinance amending City of Burnet Code of Ordinances, Chapter 118 (entitled “Zoning”) for the purpose of amending the municipal golf course vegetative buffer definitions and requirements, etc.

First, the municipal golf course has been ranked as one of THE top municipal golf courses in the State of Texas several times. It welcomes golfers from Dallas to Houston to El Paso to Corpus and beyond the State’s borders because of its layout, features, natural setting and reasonable prices. It is a true calling card and asset to Burnet, and recently quite a profitable one, as well. Any changes to its challenging layout, natural beauty and uniqueness should be viewed under a well integrated management plan.

Second, the vegetative buffer acts in an erosion control aspect; it hinders excessive water flow onto the golf course during a heavy rain event. Changing the vegetative buffer could lead to higher golf course maintenance costs (to correct an increase in damages and the severity of damages) and thus impacting the City’s revenue stream from the golf course. The natural, Mother Nature intended control is superior to human intervention (see the problems with Tom Kite road as a recent, relevant example).

And finally, the Highlands Lakes and Burnet (among other cities) encourages, solicits, advertises an outdoor, recreational, natural environment, and promotes wildlife, butterfly and birding experiences. The golf course is home to many of these critters and people who walk the course to view them. And they don’t play golf!

I urge the Zoning Commission and the City Council to consider a larger, and unintended impact the proposed amending of the Code of Ordinances Chapter 118 might inflict.

The municipal golf course is a true contribution to the City of Burnet, the area, and the valuable environmental legacy.

Full disclosure: I don’t play golf.

Sincerely,
Marylinda Govaars
658 County Road 100

Sent from my iPad



Planning and Zoning Commission By-Laws

City of Burnet, TX

Article One – Authorization

- A. The Burnet Planning and Zoning Commission was created by Article IX, Section 9.02 of the Home Rule Charter of the City of Burnet under authority granted by the State of Texas.
- B. The official title of the Planning Commission shall be the “Planning and Zoning Commission,” hereinafter referred to as the “Commission.”

Article Two – Purpose

- A. The purposes of the Commission are to:
 - (i) Assist the City Council of the City of Burnet, Texas with planning and zoning matters;
 - (ii) Anticipate and guide future development and change, in and around the City, by preparing plans, ordinances, capital improvements programs, studies, reports and other documents for consideration by the City Council;
 - (iii) Administer the zoning program of the City and prepare recommendations for the City Council; and
 - (iv) Consider, and approve or disapprove, requests for any variance to the subdivision regulations.

Article Three – Membership

- A. The Commission shall consist of no less than five (5) or more than seven (7) members, who are citizens of Burnet and qualified to vote in city elections, and nominated and confirmed by the City Council.
- B. Each member shall serve a term of two (2) years.

- C. The Mayor of Burnet and the City Manager shall be ex-officio (non-voting) members of the Commission. Attendance by the Mayor or City Manager shall not be counted toward the required quorum. See Article 7, Sub. A.
- D. Any vacancy in membership shall be filled by appointment by the City Council, and shall be for the remainder of the term of office only.
- E. Any member of the Commission shall be eligible for re-appointment.
- F. Any member of the Commission may be removed by the City Council for inefficiency, neglect of duty or malfeasance in office.
- G. The term of office for an officer of the Commission shall expire immediately prior to the beginning of the regular January meeting, at which meeting the successor's term of office shall begin, even if the officer is re-elected.
- H. Any member of the Commission failing to attend more than three (3) consecutive regular meetings will be considered as resigned from the Commission. Whereupon, the City Council shall name a replacement to complete the term of office. If the resigned member is also an officer, the Commission shall elect a new officer to finish the term, consistent with these By-Laws.
- I. Any member of the Commission failing to attend more than four (4) regular meetings during the fiscal year (October – September) will be considered as resigned from the Commission. Whereupon, the City Council shall name a replacement to complete the term of office. If the resigned member is also an officer, the Commission shall elect a new officer to finish the term, consistent with these By-Laws.

Article Four – Selection of Officers

- A. Officers of the Commission shall consist of a Chair, Vice-Chair, and Secretary. All officers shall be members of the Commission and elected by the membership.
- B. Nomination and election of officers shall be made from the floor at the beginning of the regular January meeting each year, with the Chair, Vice-Chair, and Secretary, considered in turn. A candidate receiving a majority vote of the entire membership for each office shall be declared elected for that office.

- C. Officers of the Commission shall serve for one year or until immediately prior to the beginning of the regular January meeting when a successor shall be elected.
- D. If for any reason the Commission should fail to elect new officers at the regularly scheduled January meeting, they shall attempt to do so at the next regularly scheduled meeting(s) of the Commission, until successful.
- E. Should a vacancy occur in one of the offices of the Commission, a new officer shall be elected by the membership in the same manner as officers are normally elected.

Article Five – Duties of Officers

- A. The Chair shall be a member of the Commission and shall:
 - (i) Preside at all meetings of the body.
 - (ii) Appoint all committees and the Chair of all committees.
 - (iii) Rule on all procedural questions, subject to a reversal by a two-thirds (2/3) majority vote of the members present.
 - (iv) Be informed of any official communication and report this information at the following Commission meeting.
 - (v) Certify all official documents involving the authority of the Commission.
 - (vi) Certify all minutes as true and correct copies.
 - (vii) Carry out other duties as assigned by the Commission, and
 - (viii) Act in the absence or inability of the Secretary and Vice-Chair to act, with the full powers of the Secretary, until a successor is elected by the Commission.
- B. The Vice-Chair shall be a member of the Commission and shall:
 - (i) Act in the absence or inability of the Chair to act, with the full powers of the Chair; and
 - (ii) Act in the absence or inability of the Secretary to act, with the full powers of the Secretary.
- C. The Secretary shall be a member of the Commission and shall:
 - (i) Act in the absence or inability of the Chair to act, with the full powers of the Chair, provided the Vice-Chair is also absent or unable to assume the duties of the Chair, and
 - (ii) Cause the following to be provided:
 - a. A record of attendance at all Commission meetings.
 - b. Minutes of the Commission meetings.
 - c. Notification of the members of the Commission of all meetings.

- d. A file of all official Commission records and reports in City Hall.
- e. A certification of all maps, records, and reports of the Commission.
- f. Notification and publication of all Commission hearings and meetings.
- g. Correspondence as necessary for the execution of the duties and functions of the Commission.

Article Six – Ethics

- A. The primary obligation of a member of the Commission is to serve the public interest, particularly of the citizens of Burnet, Texas.
- B. Citizen participation is vital to the success of any city planning commission and each member of the Commission has the obligation and duty to encourage citizen participation in the planning process.
- C. The members of the Commission should be alert for opportunities to expand the choices and plans for the needs of disadvantaged persons.
- D. The members of the Commission shall avoid conflicts of interest and the appearance of conflicts of interest, whether in matters of business, friendship, blood or marriage. The public expects the Commission to be fair and objective in making planning decisions.
- E. The members of the Commission shall neither seek nor offer favors, directly or indirectly solicited, for any service or gift that could be misunderstood as influence or undue compensation.
- F. The members of the Commission shall not disclose or improperly use confidential information for gain or advantage.
- G. Serving on the Commission is a public trust and it is vital for the public to have confidence in the members of the Commission.

Article Seven – Meetings

- A. Three (3) members of the Commission constitute a quorum for the transaction of business. However, no action shall be taken or be binding upon the Commission without the concurrent of a majority of all members comprising the Commission. See Art. 8, Sub. A.
- B. If none of the members constituting a quorum is an officer of the Commission, the first act shall be the selection of a Temporary Chair to

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preside over the meeting. Should the members fail to select a Temporary Chair, the Commission shall adjourn.

- C. If any of the members constituting a quorum are an officer of the Commission, the Chair or Acting Chair, shall call the room to order. The roll will be called to determine if a quorum exists. If a quorum exists, the Commission shall be convened to conduct business. If a quorum does not exist, the meeting shall adjourn.
- D. If the Chair of the Commission, or Acting Chair, has been informed that the Commission will fail to meet for lack of a quorum, the same announcement will be made to the public at the expected meeting time and the Commission adjourned.
- E. If a quorum is expected at the meeting, the Chair, or Acting Chair, shall delay calling the room to order until a quorum is possible or a minimum of fifteen (15) minutes, whichever occurs first. The Chair, or Acting Chair, may exceed the waiting time beyond the minimum of fifteen (15) minutes at his/her own discretion.
- F. Regular meetings of the Commission shall be held at the Council Chambers at the Burnet Municipal Airport on the first Monday of each calendar month at 6:00 P.M. local time, unless announced otherwise at least seven (7) days in advance of the meeting.
- G. Special meetings may be called by the Chair of the Commission. The Secretary may also call a special meeting when notified of a need by at least three (3) members, which may include the Secretary.
- H. The Secretary of the Commission shall have written notice delivered to all other members at least five (5) days prior to a special meeting, giving the time, date, location, purpose, and agenda of the meeting. The Secretary shall likewise serve public notice of the special meeting as required by Texas State Statutes.
- I. Any written statements, documents, maps or other materials to be provided to the Commission must be registered with the City of Burnet and assigned an exhibit number at least ten (10) working days prior to the public hearing for consideration by the Commission.
- J. All meetings of the Commission must be open to the public.
- K. A meeting may be continued at a later date if the continuation is requested by an applicant with the approval of the Commission members in attendance. Any meeting that is continued must be

concluded during the same calendar month. No continuation meeting may be further continued at a later date. No subdivision application can be tabled by the Commission.

Article Eight – Voting

- A. No action of the Commission shall be valid unless authorized by a majority vote of all voting members of the Commission, present or not.
- B. Absent member votes, negative votes, and abstentions are all “nay” votes on any motion before the Commission.
- C. Members of the Commission must excuse themselves from voting on any motion if there may be a conflict of interest.
- D. The Chair shall entertain a motion and a second to the motion, whereupon the Chair shall direct the Secretary to call for the vote of the members present, with the Chair casting the final vote on the motion.

Article Nine – Order of Business

- A. The order of business for a regular meeting shall be as follows:
 - (i) Call to order by the Chair.
 - (ii) Roll Call by the Secretary.
 - (iii) Determination and announcement of a quorum.
 - (iv) Acceptance of the minutes of any previous meeting as accurate or changed as needed.
 - (v) Report of the Secretary.
 - (vi) Report of any standing committees.
 - (vii) Report of any special committees.
 - (viii) Unfinished business from previous meetings.
 - (ix) New business.
 - (x) Adjournment.
- B. Parliamentary procedure in Commission meetings shall be governed by Robert’s Rules of Order (revised edition), unless superseded by State or Federal law, Municipal ordinance or these By-Laws.
- C. The Secretary of the Commission shall cause to be kept a copy of the minutes of each meeting and these shall be a public record. The Secretary and Chair shall sign all official minutes and certify at the end of the year that all minutes of meetings of the previous year are true and correct copies.

Article Ten – Public Hearings

- A. In addition to those required by law, the Commission may hold public hearings on any planning and zoning matter which it deems to be in the public interest.
- B. The Chair shall summarize the matter before the Commission or introduce another person to make a presentation on the matter before allowing interested parties to address the Commission. The Chair may also accept written statements and other documentation pertinent to the matter before the Commission.
- C. An accurate written record, audio taping or audio-video recording shall be made of the proceedings of each public hearing and maintained as part of the Commission's files.

Article Eleven – Amendments

These By-Laws may be amended by a majority vote of the entire Commission at a regular meeting, provided the proposed change was introduced at the previous regular monthly meeting. Such changes, once adopted by Commission vote, are effective immediately.