

## Letter to the Editor

This is serious. The Llano Planning and Zoning Commission has demonstrated a total lack of respect for property rights and zoning laws and has a secret agenda to “overhaul” the zoning ordinance. Once again, appointed officials wish to impose their vision on the people, rather than understanding the fundamental American concept that their role is to represent the will of the people, and protect our freedom and property rights.

For over a year, the P&Z Commission has proclaimed the need to overhaul the zoning ordinance because it is “outdated.” When asked exactly what the problems are, they merely spew platitudes about the ordinance being “out of date” for what Llano needs, despite it being a fairly recent – 1997 – ordinance.

**Last year:** There was a very controversial zoning ordinance change for south Ford St. In a thinly disguised attempt to circumvent spot zoning laws, the P&Z Commission and City Council ignored and outraged all the affected property owners who came forward to object and passed the Dentist Overlay District anyway. Not only were the citizens’ objections ignored, but their desired changes were dismissed as well.

**Also last year:** City council quietly asked P&Z to change all commercial zoning to disallow any metal buildings. After citizen outcry and the presentation of pictures of beautiful metal buildings in Fredericksburg, Gruene, Wimberley, and Llano, they withdrew.

**Then:** Trying to avoid citizen input, they violated state statutes and city zoning ordinances. P&Z and City Council made unstudied changes to the usage table for South Ford St resulting in a loss of property rights in the Dentist Overlay Zone. This constitutes eminent domain through the zoning laws. Also lost, because property owners were not consulted, was an opportunity to discuss the changes these citizens wanted last year. This lawlessness was not an accident, either. They were told, in writing, that they were violating laws. The city manager justified the actions saying he had “20 years of zoning administration experience” and they were just making “text” changes. Six experienced zoning commissioners on the P&Z and City Council used the same argument. Too bad the property owners weren’t there to opine – 79 were not notified of the meeting as is legally required. At least property owners on South Ford St. can now open a Palm Reading business.

**Now the worst:** Emboldened by their success in law breaking, they are now going for the whole thing – a complete overhaul of the zoning ordinance. You would think the kick-off meeting for this major overhaul would start with defining the issues with the current zoning ordinance and exactly what is “outdated.” No. One minute into the meeting, the new city manager proclaims that “One of the things everyone is concerned about is State Hwy 16 - Ford St. That’s because this is a Commercial Corridor and we have as [sic] residential. That is one of the main areas of concern.” Later he reiterates that “Of course we have to look at Ford St., too, where we do have need to look at going from SF1 to an actual commercial strip.” This is exactly the concern the property owners repeated during the change to their neighborhood last year. But this year they weren’t told about the meeting, so it went unchallenged.

What is the hidden agenda here? When asked, the city says they want the HWY 16 entry to our city to be the same as Fredericksburg. But it can be now. Except for heavy equipment rental, property owners on South Ford St can do anything that Fredericksburg has done on its Highway 16 entry. There must be an unspoken reason for wanting commercial zoning.

The city manager went on to say that “Everyone wants to see Llano grow so that is one thing we want to look at, too, is how do we get multi-family housing in and where should it be located.”

The city manager also thinks we have too many chickens, goats, and peacocks – even in agricultural zoning. He claimed to have experience in deciding how many we should have by using a formula he created for the number of “animal

units” we can have – 34 sq ft for a goat, and 2 goats = 5 chickens. He added that chickens should be phased out in residential areas. He should have recommended that we change the city slogan from “The Way Texas Used to Be” to “Making Llano Into NYC.” We have a good ordinance on animals and a wonderful animal control officer who can handle any problems that arise. We don’t need zoning to do this. Even Austin allows backyard chickens.

The first “overhaul” meeting was pretty disgusting. Not just because of the arbitrary changes they discussed but the way they presented themselves as the five elite arbiters of what Llano should be. They talk of “best use” which normally a property owner decides, not a few appointed commissioners. They speak in terms of “what do we want.” The meeting was disorganized and, fortunately, accomplished nothing – accept to scare citizens. P&Z will meet continue the overhaul on the third Thursday of every month at 5:30pm.

Most would say that zoning laws are a violation of property rights. Telling us what we can do with our property is an affront to our ownership and feeling of freedom. Zoning proponents say that zoning laws protect property owners from their neighbors and to help the city plan for services. Without pursuing that debate, I will say that our zoning laws do try to protect us from excessive abuse by transient government officials – if they are followed, which they are not.

We must stop this attack on property rights:

1. Replace the P&Z commissioners. They were appointed by the previous mayor who the citizens rejected. The new mayor should appoint a new set. They should have respect for the law and property rights.
2. The zoning “overhaul” should be stopped.
3. The Comprehensive Plan Citizen Committee should be reconstituted with a mission to complete the plan. Llano is required to have a Comprehensive Plan that dictates what is allowed. “Promote growth” or a “New commercial corridor” is not on the list. Besides, a large citizen committee attempted to create a new comprehensive plan but our previous city manager quit and the new city manager ignores it.
4. Planning & Zoning meetings should be recorded, as are Council meetings.

Further details may be found at [www.LlanoWatch.org](http://www.LlanoWatch.org)

Marc Sewell