

Planning and Zoning Minutes

October 15, 2019

APPROVED

Meeting Location: Saint Hedwig City Hall

Called to order at 7:04 P.M.

Secretary Fornof—Present

Commissioner Jones—Present

Commissioner Robinette—Absent

Commissioner Mais—Present

Commissioner Maddox--Present

Commissioner Polasek—Present

Alternate Commissioner Schaefer-- Present

Quorum established.

Topic 01: Reading and approval of Minutes for October 1, 2019 meeting.

Amendments/ Corrections

- It was noted that Secretary Fornof was absent at the last meeting.
 - Commissioner Polasek was present, not absent.
 - Topic 3 none of the citizen's present chose to speak.
 - Correct spelling of Mr. Baca's name throughout the document.
- Motion accepted with above amendments.
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Topic 02: Review the Planning and zoning Commission Log

- No new business beyond the plat submission that is on the agenda for later in the meeting.
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Topic 03: Citizens to be heard

- None of the citizen's present chose to sign up for Citizens to be heard.

Topic 04: New Business

- There is no new business on the agenda to discuss.

Topic 05 Old Business Item 2. Dry Hollow Creek Subdivision Plat approval.

- Commissioner Jones noted that secretary Fornof was absent for the last meeting and we agreed to table final approval until she had a chance to review it from a code compliance perspective.
- Mr. Baca noted that there were some adjustments made to the driveway entrances to be optimized with the TX DoT requirements
- Secretary Fornof noted that the septic reports had been received.
 - Mr. Baca noted that the lot owners will have to file for the septic permits with Bexar county.
 - Commissioner Jones noted that the Bexar County minimum lot size is ½ acre for septic systems.
 - Secretary Fornof noted that the soil in Saint Hedwig seems to be well suited to the traditional type septic systems.
 - Aerobic systems tend to be more expensive which are better suited for heavy clay soils.
 - Secretary Fornof noted that system design is guided by the number of bedrooms
- Mr. Baca noted that the map location will be corrected on the Mylar copies.
- Commissioner Polasek asked if Mr. Baca was able to confirm what the current ag exemption minimum requirements are and he did not know.
 - Mr. Baca did note that usually 1 acre is taken out for the home
- Commissioner Polasek asked Secretary Fornof if she had reviewed her check list and checked everything off.
 - Secretary Fornof responded in the affirmative.
 - Not having streets made it much easier for the review.
- Secretary Fornof asked Mr. Baca if the property was currently under ag exemption and Mr. Baca responded in the affirmative.
- Commissioner Mais noted that we needed to ask if the changes requested at the last meeting were made and received.
 - Mr. Baca noted that he had sent a PDF copy to the city
 - Commissioner Jones asked Secretary Fornof if she had received the PDF that Mr. Baca was referring to.
 - Secretary Fornof verified that she did receive the update PDF from Mr. Baca and she stated that she had.
- Commissioner Jones asked when the Mylar copies would be available to sign.
 - Commissioner Polasek asked who had to sign them.
 - Commissioner Jones stated that the chairman and the secretary sign the Mylar copies for submission at the courthouse for filing.

- A motion was made to approve the plat was made by Commissioner Maddox and seconded by Commissioner Mais.
 - The motion carried.
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Topic 06: Old Business item 1, Ordinance Conflicts and revisions

- Commissioner Jones noted that we left off on the top of page 32 section 19.
 - Secretary Fornof noted that she had created a spread sheet of the changes made so far but was not able to print it up for the meeting.
 - Secretary Fornof noted that we consider sending the parts that we have reviewed to the city attorney for him to review.
 - Noted that we agreed to create 4 appendices which will change our change numbers
 - Noted that the attorney would like a partial draft rather than the whole thing.
 - Secretary Fornof stated that it would be best to start with the appendices in terms of what to send to the attorney first.
 - Commissioner Polasek asked if the changes we make do not affect the output or intent of the ordinance, does it have to have a public hearing?
 - Secretary Fornof deferred to the attorney
 - Commissioner Jones stated his opinion that first the attorney would get it and make his changes verifying for legality and then we would have a finished product that we could post publicly. There would be public hearings but we would keep it as transparent as possible.
 - Commissioner Polasek noted that we may need to highlight the changes.
 - Commissioner Jones noted that some aspects of the changes we are proposing are based in Texas Government code and would be above the state standard.
 - Secretary Fornof stated that she generally rounded up in terms of the notifications to as much as 400 or 500 feet to the property in question.
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Topic 07: Continued discussion of Ordines conflicts page 32 section 19

- Secretary Fornof noted that we did not address supplemental members and the terms but upon reading further determined that the details further along in the section clarified things.
 - Commissioner Maddox noted that it was confusion but made sense the further you read.
- There was some discussion of the question of joint meetings.
 - Secretary Fornof asked if we need to remove some language regarding the joint meetings with council.
 - Commissioner Jones identified section B 5 on page 31.
 - Secretary Fornof noted that in when the city attorney was asked if we could have joint meetings he noted that an ordinance would have to be passed to do this.

- So it would still be delayed from making a decision.
 - Commissioner Polasek noted that section C was skipped and would have to be re-ordered.
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Topic 08: Continued discussion of Ordinance conflicts – page 32

- There were no suggested changes discussed for this section
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Topic 09: Continued discussion of Ordinance conflicts—Page 33 & 34

- Secretary Fornof noted that we consider adding a paragraph regarding alternate commissioners.
- Commissioner Polasek suggested that section be moved back under section B of XIX.
 - Commissioner Jones agreed.
 - Up to two alternates were discussed.
 - Keep the same terms as regular commissioners.
- Commissioner Polasek asked if we need to consider if an alternate automatically becomes permanent regular member.
 - Wants to see the alternates role clarified/ verified
 - Alternate would be appointed by the city council
 - Commissioner Jones noted that council can remove commissioners at any time.
- There was some discussion of if alternates should be required to attend.
 - Commissioner Maddox noted that until an alternate is appointed the rule does not take effect.
 - Secretary Fornof noted that we will add a number 4 on the membership where the alternate commissioners will be defined.
 - A second note under appointment to cover everything under item 4.
 - Commissioner Mais noted that this will need to read “approved by council”
- Commissioner Polasek asked if we have a meeting but do not have enough regular commissioners for a quorum but do if we have the alternated present if we could proceed with the meeting.
 - Secretary Fornof noted that this is something that we would have to define.
 - Commissioner Jones stated that he would think so because the alternates were already vetted by the council.
- Commissioner Polasek stated a hypothetical if we had an important issue to vote on and the alternate had not attended the meeting for 6 months and did not have a firm understanding of what had transpired for the past 6th months.
 - Commissioner Jones noted that there are remedies in h

- How we conduct our meeting that would address this but noting that anyone that was not comfortable with the situation could motion that the vote be tabled until the regular commissioners were present.
- Commissioner Polasek would like to have this verified regarding this rule.
 - Raises the question if the alternate commissioners should have to follow the same attendance requirements stated in D. 6.
 - Commissioner Jones noted that we will ask for guidance from the attorney on this question.

Topic 10: Continued discussion of Ordinance conflicts— Page 34 section XX. BOA

- Secretary Fornof suggested that we consider some of the same language spelled out in this section to consider for what we just discussed regarding P&Z appointments
 - It was noted that they do not call a meeting unless there is a hearing.
 - There were no changes noted for this section.
 - Secretary Fornof noted the city attorney does not see the BOA hearing anything related to lot area. Advised taking the term “lot area” out.
 - We rarely use this term now.
 - Commissioner Jones asked what the remedy would be if this is removed.
 - Wants to know more about why the attorney does not like it.
 - Historically has not been an issue.
 - Noted that they follow the limitations stated in section C very strictly so there is no re-zoning.
 - Commissioner Maddox noted that there is really no reason to remove the term “lot area” SecretaryFornof agreed stating that we would be backed into a corner on what we could do.

Topic 11: Continued discussion of Ordinance conflicts—Section D page 36

- Commissioner Jones raised the question of if these procedures are specified in Texas Local government code?
- Bottom of Page 37 section E. Secretary Fornof noted that this touches on the zoning ordinance and special use permits under home occupations (section 18) or page 30 under amendments. Suggest moving this up to the re-zoning section.
- Secretary Fornof stated that it is hard to enforce given that it located under the BOA section.
- Commissioner Jones noted that this is a big change and understands why we should make the move but wants to have a better understanding of why it is where it is currently.
- Secretary Fornof proposed moving all of this section over to the P&Z section.
- We need more information and will need to take our time on this section.

- Will need to be reviewed to make sure that is in agreement with the subdivision ordinance and other aspects of the general ordinance.
 - Commissioner Polasek noted we may want to pause at this point.
 - A motion was made to table further discussion and resume at page 39 just before section 21 definitions.
 - The motion carried.
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Topic 12: Establish date and agenda for next meeting

Commissioner Jones proposed November 5.

- Secretary Fornof noted that she would not be available.
 - November 12 was proposed by Commissioner Polasek.
 - Agreed to set for November 12 tentatively with an alternate of the 19th.
 - Agreed to November 12, 7PM at City Hall
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Topic 13: Announcements

- The turkey dinner is coming up and will be a noon meal at the legion hall on the 20th.
 - Legion art show on November 9
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Topic 14: Motion to adjourn.

The motion carried.