

MINUTES
SPECIAL CALLED PLANNING AND ZONING COMMISSION MEETING
BOERNE CITY HALL
447 North Main Street

Monday, November 16, 2020 – 6:00 p.m.

Minutes of the Special Called Planning and Zoning Commission Meeting
of November 16, 2020 at 6:00 p.m.

Present 6- Chairman Tim Bannwolf, Vice Chairman Patrick Cohoon,
Commissioner Joe Anzollitto, Commissioner Bill Bird, Commissioner Ricky
Gleason, and Commissioner Bob Cates

Absent 2- Commissioner Kyle Kana, Commissioner Chesney Dunning

Staff Present: Barbara Quirk, Cheryl Rogers, Laura Talley, Barrett Squires,
Rebecca Pacini, Heather Wood, Krystal Brown

Recognized/ Registered Guests: Zachary Wright, Christina Ryrholm

1. CALL TO ORDER – 6:00 PM

ROLL CALL

Chairman Bannwolf called the Planning and Zoning Commission to order
at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and
indivisible.)

MOMENT OF SILENCE

2. CONFLICTS OF INTEREST

No conflicts were declared.

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the
Planning and Zoning Commission on any issue. The Planning and Zoning Commission
may not discuss any presented issue, nor may any action be taken on any issue at this
time. (Attorney General opinion – JC-0169)

No comments were received.

4. CONSENT AGENDA: All items listed below within the Consent Agenda are considered routine by the Planning and Zoning Commission and may be enacted with one motion. There will be no separate discussion of items unless a Commission Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

4.A. [2020-662](#) CONSIDER THE MINUTES OF THE SPECIAL CALLED PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 22, 2020.

4.B. [2020-663](#) CONSIDER THE MINUTES OF THE REGULAR PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 2, 2020.

A MOTION WAS MADE BY COMMISSIONER COHOON, SECONDED BY COMMISSIONER GLEASON, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- COMMISSIONER GLEASON, COMMISSIONER ANZOLLITTO, COMMISSIONER COHOON, COMMISSIONER BIRD, AND COMMISSIONER CATES

Approved: 5-0

5. REGULAR AGENDA:

5.A. [2020-664](#) TO MAKE RECOMMENDATION TO CITY COUNCIL REGARDING THE ADOPTION OF A UNIFIED DEVELOPMENT CODE, REPEALING AND REPLACING ALL ORDINANCES PERTAINING TO LAND DEVELOPMENT, ZONING AND SIGNAGE.

- I. PRESENTATION
- II. PUBLIC HEARING
- III. MAKE RECOMMENDATION

Chairman Bannwolf opened the Public Hearing at 6:17 p.m.

No comments were received.

Chairman Bannwolf closed the Public Hearing at 6:17 p.m.

Ms. Laura Talley, Planning and Community Development Director, gave an update on the Unified Development Code (hereafter, UDC).

Discussion ensued regarding language in the UDC that addresses tree removal permits, future procedures for approving or denying plats when possible rule or law violation(s) of city, state or federal entities exist, and the process of future amendments to the UDC.

Ms. Cheryl Rogers, City Engineer, spoke regarding guidelines of silt fencing in the city, to include frequent inspections of development sites, closely monitoring developments to ensure no violations occur, and reporting any violations to the Texas Commission on Environmental Quality (TCEQ) as the regulating authority on silt fencing.

Ms. Rebecca Pacini, Planner III with Planning and Community Development, spoke regarding Rules of Interpretations as she was familiar with from working for the City of San Antonio. She mentioned that certain interpretation(s) of their City's Code would be staff guided to prompt clarification when needed.

Barbara Quirk, City Attorney, arrived at 6:53 p.m.

Discussion continued regarding amending the UDC to include the ability to question or cease activity on a project if an applicant is found in violation of local or state rules or regulations and a process to approve or deny plats according to violations. Further discussion ensued concerning which governmental entities have authority to enforce compliance.

A MOTION WAS MADE BY COMMISSIONER COHOON, SECONDED BY COMMISSIONER ANZOLLITTO, TO RECOMMEND TO CITY COUNCIL ADOPTION OF THE UNIFIED DEVELOPMENT CODE, REPEALING AND REPLACING ALL ORDINANCES PERTAINING TO LAND DEVELOPMENT, ZONING AND SIGNAGE CONDITIONED UPON:

1. CHANGING THE LANGUAGE EXEMPLIFIED IN SECTION 1.12B SUBSECTION 1C WHICH ALSO WILL CHANGE THE MIRRORING SECTIONS THAT AFFECT THE BOARD OF ADJUSTMENTS, HISTORIC LANDMARK COMMISSION (HLC) AND DESIGN REVIEW COMMITTEE WITH THE FOLLOWING LANGUAGE:

"ANY VACANCY SHALL BE FILLED IN THE SAME MANNER AS THE APPOINTMENT IS MADE."

2. AND WITH FURTHER RECOMMENDATION THAT THIS WOULD BE SUBJECT TO THE PLANNING AND ZONING COMMISSIONS FURTHER MODIFICATIONS BEING PROPOSED ON ZONING, DEVELOPMENT AND LAND USE BETWEEN NOW AND THE EFFECTIVE DATE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

YEAH: 5- COMMISSIONER GLEASON, COMMISSIONER ANZOLLITTO, COMMISSIONER COHOON, COMMISSIONER BIRD, AND COMMISSIONER CATES

APPROVED: 5-0

6. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF - No discussion or action may take place

No comments were received from Legal Counsel or Staff.

7. THE CITY OF BOERNE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE §551.071 (CONSULTATION WITH ATTORNEY).

The Planning and Zoning Commission did not convene into Executive Session.

8. ADJOURNMENT

Chairman Bannwolf adjourned the Planning and Zoning Commission at 7:30 p.m.

Chairman

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 13th day of
November, 2020 at 4:00 p.m.

Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the Planning and Community Development Department at 830-249-9511.