

**PLANNING AND ZONING COMMISSON/CITY COUNCIL
JOINT MEETING MINUTES
TUESDAY, JANUARY 4, 2022**

Commissioners Present:

Jamie WilsonChairman
Michael Hennigan. Vice Chairman
George Mortimer. Commissioner
MaQuettia Ledet (arrived at 5:38 p.m.) Commissioner
Robert Vigil..... Commissioner
Tiffany Bell..... Commissioner

Commissioners Absent:

Daryl Cowart..... Commissioner

City Council Members Present:

Larry Spears, Jr.
Mary McKenna
Brad Childs
Caroline Hennigan
David Bailey
Paul Burch

City Council Members Absent:

Terrie Salter

Staff Present:

Kelvin Knauf, Director of Planning & Community Development
Wendy Lloyd, Planning Secretary
Jay Trahan, Assistant City Manager & EDC Director
Leigh Ann Dallas, Event Manager & EDC Assistant
Guy Goodson, City Attorney

Chairman Wilson called the Planning & Zoning meeting to order at 5:30 p.m.
Mayor Spears called the City Council meeting to order at 5:30 p.m.

CITIZEN COMMENTS

None

PUBLIC HEARING

- a. **Conduct Case No. 22:01. Conduct a public hearing on a proposed ordinance amending in its entirety the Code of Ordinances .Chapter 9 “Subdivisions” Article 9.110 “Subdivision Regulations” Section 9.114(6)(P) pertaining to the installation of streetlights in subdivisions.**

Public hearing opened at 5:33 p.m.

Mr. Knauf stated this is the ordinance that actually implements the changes to the subdivision ordinances as it requires the installation of streetlights like we discussed at the last meeting. Just briefly some of the changes are that it would require 400 linear feet between streetlights as measured along the center line of the street. It clarifies that the location of the streetlights must be shown on the preliminary and final plats. It requires the developer to provide documentation of the size, type and style of streetlights to be installed. It requires the developer to install the streetlights rather than the city install the streetlights so that the policy matches the current practice. It eliminates the requirement that properties served by a streetlight have the valuation of the property increase by 1 dollar per foot for tax purposes as in the current ordinance.

Chairman Wilson asked for any discussion. None was made

Public hearing closed at 5:33 p.m.

- b. Case No. 22:02. Conduct a public hearing on a proposed ordinance amending in its entirety the Code of Ordinances Chapter 9 "Subdivisions" Article 9.110 "Subdivision Regulations" Section 9.114(12) pertaining to the installation of fire hydrants in subdivisions.**

Public hearing opened at 5:33 p.m.

Mr. Knauf stated this amends the subdivision ordinance requirements on fire hydrants. Basically, it replaces the current requirement that fire hydrants be 750 linear feet apart and that all areas of the subdivision be within 500 feet of a fire hydrant with the requirement that the fire hydrant installation be in accordance with the most recent International Fire Code requirements. That way as the city updates the fire code, the installation of the fire hydrants will automatically adjust to meet any new standards. Currently the city is under the 2015 fire code. It clarifies that the location of fire hydrants has to be shown on the preliminary plat and the final plat. It requires that all fire hydrants be red in color and requires that all fire hydrants be installed so they face the street. I talked about this with Chief Frenzel and he's fully in support of all these changes.

Chairman Wilson asked for any discussion. None was made

Public hearing closed at 5:34 p.m.

Mayor Spears asked for motion to adjourn

Councilmember Childs motioned

Councilmember McKenna 2nd

Vote 6 – 0

Motion Carries

City Council adjourned at 5:35 p.m.

PLANNING & ZONING COMMISSION DISCUSSION/ACTION ITEMS

- a. Case No. 21:16. Consider a recommendation to the City Council on a proposed ordinance amending the Code of Ordinances Chapter 12 "Planning and Zoning" Section 12.611(21) pertaining to POD-type containers and Conex-type shipping containers; finding that this ordinance is beneficial to the health, safety and general**

welfare of the city; providing a severability clause; providing an effective date; repealing all ordinances in conflict with this ordinance; providing a penalty clause; and making certain finding thereto.

Mr. Knauf stated this is the ordinance that actually implements the changes to the shipping containers ordinance we talked about at the last Planning & Zoning Commission meeting.

Chairman Wilson asked for any discussion.

Commissioner Mortimer stated just a couple of wording issues, where it states in the new code writing under 21 containers a, number 1, in the last sentence it says that containers may be located in warehouse facilities as long as they're under the Industrial Code 4225, to the end where we get behind an opaque fence and there are also mini warehouses located on the property. So, if you have a warehousing facility and it doesn't have mini warehouses on it, it doesn't apply then. What are we saying here? Mr. Knauf stated what we are saying is we are trying to avoid people from just putting Conex type containers on a vacant lot that you have to have mini warehouses on the lot in order to have shipping containers. Commissioner Mortimer stated but you can warehouse facilities without mini warehouses on them right. Mr. Knauf stated yes. Commissioner Mortimer stated but this is requirement that you have to have basically would have to have and also mini warehouses. Is that worded the way you want it? What I'm seeing here is the fact that they can have the POD type containers located on warehousing facilities which falls under the 4225 code on any of these areas and it has to have also not only the 8 foot opaque fence which is fine but there also has to be mini warehouses located on that property. Mr. Knauf stated right in order to have the POD shipping containers. Commissioner Mortimer stated is the Industrial Code 4225 mini warehouses. Mr. Knauf stated yes. Commissioner Mortimer stated ok that is what I wanted clarification on. The only other question I have is where we say PODs on page 16 of 40, containers may be used for no more than 2 weeks for moving purposes in any zoning district. What happens in and around a remodel? Chairman Wilson stated the remodel actually came up which was really kind of one of the sticking points to us. If we are remodeling, are we moving everything out of our home into a POD for 2 weeks are we moving it to another room for 2 weeks. What is going to prevent someone from getting it for 2 weeks and continually saying now I'm going to remodel this bathroom and now I'm going to do the upstairs and I'm going to do this. So, something that should have only been allowed for 2 weeks, now takes 2 years and we have an unsightly POD. So, if I'm remodeling a kitchen, then I'm taking all of the things from the kitchen to say the dining room while I'm waiting. I don't necessarily need a POD. Vice Chair Hennigan stated I'm the one that brought that up at the first meeting and I think we decided at that time that we weren't going to allow PODS or shipping containers for people that were remodeling.

Chairman Wilson asked for any discussion. None was made.

Vice Chair Hennigan motioned to recommend approval

Commissioner Vigil 2nd

Vote: 6 – 0

Motion Carries

- b. Case No 22:01. Consider a recommendation to the City Council on a proposed ordinance amending in its entirety the Code of Ordinances Chapter 9 "Subdivisions" Article 9.110 "Subdivision Regulations" Section 9.114(6)(P) pertaining to the installation of streetlights in subdivisions; repealing all ordinances in conflict with this ordinance, providing a severability clause; providing an effective date; and, making certain findings relative thereto.**

Chairman Wilson asked for any discussion. None was made.

Vice Chair Hennigan motioned to recommend approval
Commissioner Mortimer 2nd

Vote: 6 – 0

Motion Carries

- c. **Case No. 22:02. Consider a recommendation to the City Council on a proposed ordinance amending in its entirety the Code of Ordinances Chapter 9 “Subdivisions” Article 9.110 “Subdivision Regulations” Section 9.114(12) pertaining to the installation of fire hydrants in subdivisions; repealing all ordinances in conflict with this ordinance; providing a severability clause; providing an effective date; and, making certain findings relative thereto.**

Chairman Wilson asked for any discussion. None was made.

Commissioner Mortimer motioned to recommend approval
Commissioner Ledet 2nd

Vote: 6 – 0

Motion Carries

- d. **Discuss attendance requirements for Planning and Zoning Commission members.**

Mr. Knauf stated buried real deep within this document is an actual ordinance that requires Planning and Zoning Commission members to attend 75 % of the meetings each year. Now we never know how many meetings we are going to have that year so that becomes a little dicey. Actually, over the past couple of years with covid, it’s not something that we have really been stringent about but I do want to bring it to your attention that there is an ordinance that does require 75 % attendance at all of the meetings unless you have an excused absence. It’s up to the chairman of the Planning and Zoning Commission to determine whether your absence is excused or not. If you can’t make it, Wendy calls the day of the meeting to see if you can make it. We really appreciate if you could get back with us on whether you can make it or not. Vice Chair Hennigan stated and that does include workshops. Mr. Knauf stated yes all meetings. Chairman Wilson stated so those of you that do not have my phone number, if you’d like it I will give it to you now 409-201-5920. Mr. Knauf stated I just wanted to inform the commission. There are excused absences you know if you are ill or you have another commitment. To me those are excused absences. If you didn’t make it just because you didn’t feel like coming to the meeting that night, that’s probably not an excused absence but that is up to the chair to determine.

PLANNING & ZONING APPROVAL OF MINUTES

- a. **Approval of November 2, 2021, Planning and Zoning Commission/City Council joint public hearing & regular meeting minutes**

Chairman Wilson motioned to approve
Vice Chair Hennigan 2nd

Vote: 6 – 0

Motion Carries

- b. **Approval of November 21, 2021, Planning and Zoning Commission special call meeting minutes**

Vice Chair Hennigan motioned to approve
Commissioner Bell 2nd

Vote: 6 – 0

Motion Carries

Chairman Wilson adjourned the Planning and Zoning Commission meeting at 5:46 p.m.