

# Public Hearing

## Special Election-Resolution 25-R-101

September 2, 2025-1<sup>st</sup> Public Hearing

September 16, 2025-2<sup>nd</sup> Public Hearing

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# Special Election-Resolution 25-R-101

On August 5, 2025, The City Council of the City of Schertz passed Resolution 25-R-101. ordering a Special Election :

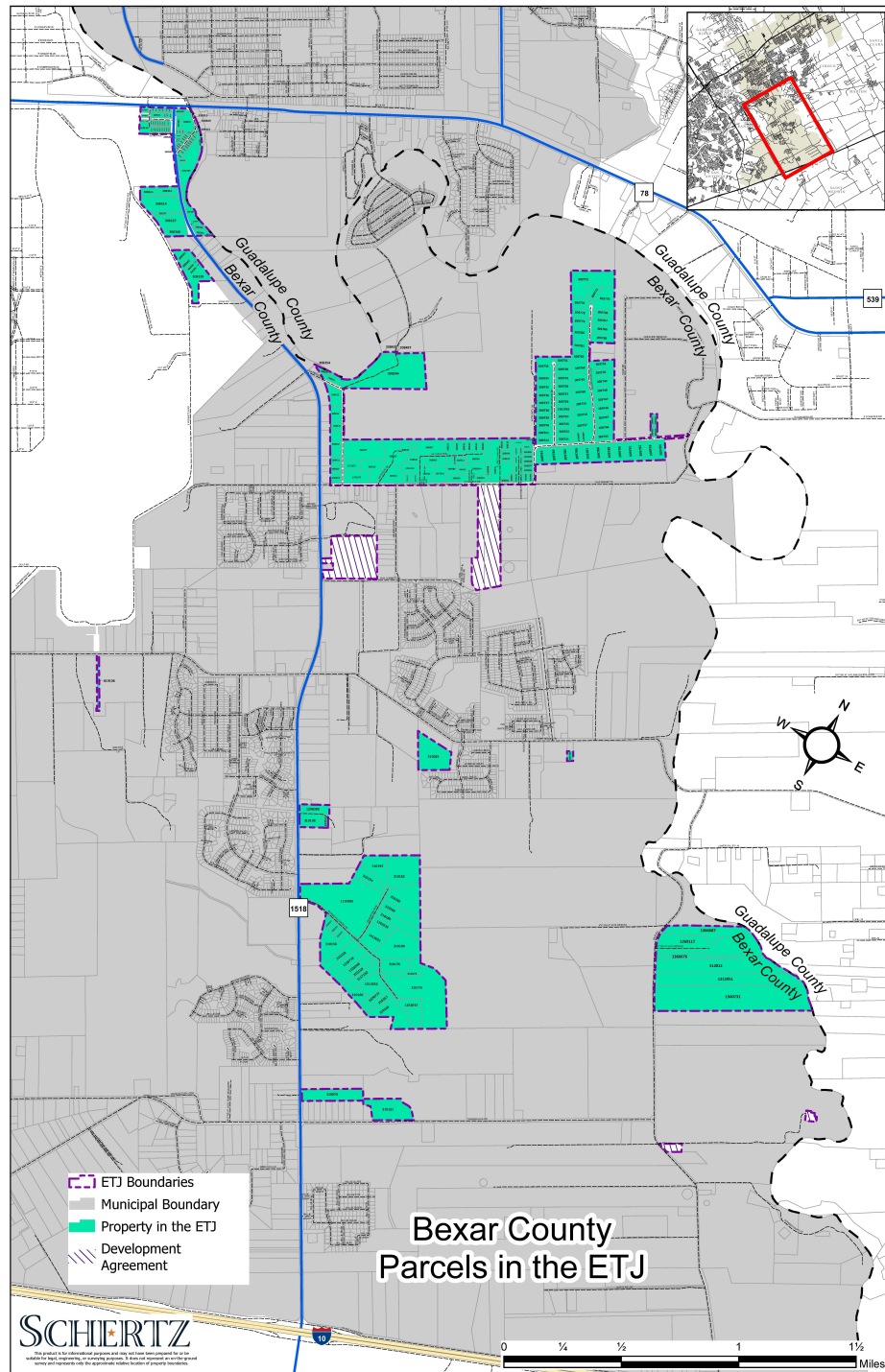
*“FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A SPECIFIC AREA PURSUANT TO SECTION 43.0117, TEXAS LOCAL GOVERNMENT CODE, THE QUESTION OF WHETHER SUCH AREA, AS SITUATED WITHIN THE CITY OF SCHERTZ EXTRATERRITORIAL JURISDICTION AND WITHIN FIVE MILES OF THE JOINT BASE SAN ANTONIO RANDOLPH BOUNDARY, SHOULD BE ANNEXED INTO THE CITY, OR WHETHER THE CITY SHALL BE PROVIDED WITH THE AUTHORITY TO ADOPT AND ENFORCE AN ORDINANCE REGULATING THE LAND USE IN THE AREA IN THE MANNER RECOMMENDED BY THE MOST RECENT JOINT LAND USE STUDY.”*

# Section 43.0117 Texas Local Government Code

**There are only two options for the election as this is what is allowed under State law:**

(b) A municipality may annex for full or limited purposes, under the annexation provisions applicable to that municipality under this chapter, any part of the area located within five miles of the boundary of a military base in which an active training program is conducted. The annexation proposition shall be stated to allow the voters of the area to be annexed to choose between either annexation or providing the municipality with the authority to adopt and enforce an ordinance regulating the land use in the area in the manner recommended by the most recent joint land use study.

Map of the properties in the city's extra territorial jurisdiction that are affected in Bexar County.



# City of Schertz Proposition A

**OPTION 1: YES ANNEXATION:** SHALL THE CITY OF SCHERTZ ANNEX FOR FULL PURPOSES CERTAIN AREAS IN THE CITY' S EXTRATERRITORIAL JURISDICTION WITHIN FIVE MILES OF THE BOUNDARY OF THE JOINT BASE SAN ANTONIO RANDOLPH?

- **Option 1** would authorize the City of Schertz to annex, for full-purpose annexation, certain areas in the city's extraterritorial jurisdiction within five miles of the boundary of the Joint Base San Antonio. The following services would be provided on the effective date of annexation.
- **Services include:** (A) police protection; (B) fire protection; (C) emergency medical services; (D) operation and maintenance of water and wastewater facilities in the annexed area; (E) operation and maintenance of roads and streets, including road and street lighting; (F) operation and maintenance of parks, playgrounds, and swimming pools; and (G) operation and maintenance of any other publicly owned facility, building, or service

# City of Schertz Proposition A

**OPTION 2: NO ANNEXATION BUT WITH LAND USE REGULATIONS** SHALL THE CITY OF SCHERTZ BE PROVIDED WITH THE AUTHORITY TO ADOPT AND ENFORCE AN ORDINANCE REGULATING THE LAND USE IN THE CITY' S EXTRATERRITORIAL JURISDICTION WITHIN FIVE MILES OF THE BOUNDARY OF THE JOINT BASE SAN ANTONIO RANDOLPH IN THE MANNER RECOMMENDED BY THE MOST RECENT JOINT LAND USE STUDY, FOR THE PURPOSE OF PROTECTING THE MILITARY MISSIONS, AND INCLUDING THE AUTHORITY TO ADOPT AND IMPOSE RELATED FEES, FINES AND OTHER CHARGES?

- **Option 2** would authorize the City of Schertz, instead of annexation of the area, to adopt and enforce an ordinance regulating the land use (zoning) recommended by the most recent joint land use study.

The option which receives the most votes will affect all the properties on the map.

# Notifications and Public Hearings

- A certified letter was sent out on Tuesday, August 12, 2025, to all the affected areas with a copy of Resolution 25-R-101, the explanation of the Special Election and the map of the areas that are affected in the city's extra territorial jurisdiction.
- Certified Mail Totals:  
Received: 130                      Returned 56                      Not accounted for: **17**
- The City of Schertz will conduct two public hearings. The first was on Tuesday, September 2, 2025, and tonight is the second public hearing.  
Tuesday, September 16, 2025

# Who Can Vote?

1. Owners of the property:
  - a. If you have registered to vote and your address is one of the listed properties, you **can** vote in this election.
  - b. If you have not registered to vote using your address of one of the listed properties, you **cannot** vote in this election.
2. Renters who live at one of the listed properties and have registered to vote, **can** vote in this special election.
3. All registered voters who reside at the address **can** vote in this special election.(example: 4 registered voters who reside at one of the listed properties can all vote in this special election)
4. If you own one or more of the listed properties, **you can only vote once.**



# Regulating Land Uses - basis

- The most recent Joint Land Use Study (JLUS) was produced in July 2015
- It was adopted by the City of Schertz via Resolution 15-R-96
- If this option is chosen by the voters an ordinance adopting specific land use regulations supported by the JLUS is required.



# Regulating Land Uses - mechanism

- The mechanism for enforcing the land use regulations would be the requirement for property owners to obtain permits or approvals from the City prior to commencing construction and receiving a certificate of occupancy.
- Violations would be dealt with through the same process as in the rest of the city generally.



# Regulating Land Uses - scope

- Military Influence Area Subzones
  - Bird Air Strike Hazard (BASH) MIA Subzone
  - Vertical Obstruction MIA Subzone
  - Safety MIA Subzone
  - Noise MIA Subzone
- Enforcement of the applicable Strategies within the JLUS related to:
  - Generally, these are the "Zoning Ordinance/Subdivision Regulations" strategies but also may include other strategies that lead to UDC changes.



# Regulating Land Uses – Examples

- Potential regulations/restrictions include but are not limited to:
  - Prohibiting certain land uses within certain noise contours
  - Requiring sound attenuation within certain noise contours
  - Limitations on heights of structures
  - Restrictions on the use of cranes over a certain height during construction
  - Lighting restrictions
  - Limit density/floor area ratios (FAR)
  - Regulations to reduce Bird Airstrike Hazards (BASH)
  - General restrictions on type of land use



# Regulating Land Uses – Next Steps

- Staff recommends Council hold off making a final decision until hearing from impacted residents/property owners at the September public hearings.
- Based on that input Council could direct staff to develop a draft ordinance for presentation in October to provide clarity as to what will be regulated and how it will be enforced.