



**CITY OF FRIENDSWOOD
PLANNING AND ZONING COMMISSION
THURSDAY, AUGUST 12, 2021 - 7:00 PM**

NOTICE IS HEREBY GIVEN OF A FRIENDSWOOD PLANNING AND ZONING COMMISSION REGULAR MEETING TO BE HELD IN THE COUNCIL CHAMBER, CITY HALL, LOCATED AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, REGARDING THE ITEMS OF BUSINESS LISTED BELOW:

AGENDA

1. CALL TO ORDER

2. Communication from the public/committee liaisons

(To comply with provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects be placed on a later regular Commission agenda for discussion and/or possible action)

3. Public Hearings

- A. Conduct a public hearing to receive comments both oral and written regarding proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2. Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.
- B. Conduct a public hearing to receive comments, both oral and written, regarding proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.
- C. Conduct a public hearing to receive comments, both oral and written, regarding a zone classification change for approximately 3.65 acres out of 18.0137 acres located along FM 2351 (address not yet assigned), the 18.0137 acres more fully described in 4 tracts: 16.592 acres out of and part of Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, .0918 acres out of and part of Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, and .1119 acres of land out of and part of Division B, of Lot 63 of

the Hoidale-Coffman Addition Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas; and 1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, Film Code 688395, City of Friendswood, Harris County, Texas to change from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).

- D. Conduct a public hearing to receive comments, both oral and written, regarding a zone classification change for 183.386 acres of land located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.224 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.

4. Consent Agenda

These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner so requests in which case the item would be removed from the consent agenda and considered separately.

- A. Consider the approval of the minutes of the Planning and Zoning Regular Meeting held Thursday, July 22, 2021.
- B. Consider the approval of the replat of Industry Park Friendswood Reserve I.
- C. Consider the approval of the replat of Friendswood ISD High School Campus.
- D. Consider the approval of the Replat Reserve A5 of Forest Creek Subdivision.

5. Action Items

According to the Planning and Zoning Rules of Procedure (R2019-15), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

- A. Consideration and possible action regarding a recommendation to City Council regarding proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2. Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.

- B. Consideration and possible action regarding a recommendation to City Council regarding proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.
- C. Consideration and possible action regarding a recommendation to City Council for the requested zone classification change for approximately 3.65 acres out of 18.0137 acres located along FM 2351 (address not yet assigned), the 18.0137 acres more fully described in 4 tracts: 16.592 acres out of and part of Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, .0918 acres out of and part of Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, and .1119 acres of land out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas; and 1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, Film Code 688395, City of Friendswood, Harris County, Texas to change from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).
- D. Consideration and possible action regarding a recommendation to City Council for the requested zone classification change for 183.386 acres of land located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.224 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.
- E. Consideration and possible action regarding a request to extend the 30-day period for the processing of the preliminary plat of Industry Park Friendswood Phase II per LGC Chapter 212 Section 212.009.
- F. Consideration and possible action regarding the Preliminary Plat of Industry Park Friendswood Phase II a subdivision of 15.0127 acres, 5.7179 acres of land being a replat of Reserve A of the BSR Subdivision No. 1 out of Lot 63 Divisions "B" & "C" of Hoidale-Coffman Addition, Volume 3 , Page 6 Harris County Map Records in the Perry and Austin League, Abstract 55, City of Friendswood, Harris County, Texas (missing remainder of legal description).
- G. Consideration and possible action regarding a recommendation to City Council to amend Resolution 2020-17 Planning and Zoning Rules of Procedure.

6. Discussion Items

- A. Receive an update from the Planning Subcommittee regarding progress on the Future Land Use Map update.

7. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

- A. Consider setting the next Planning and Zoning Commission regular meetings for (i) Thursday, August 26, 2021, and (ii) Thursday, September 9, 2021.

8. Communications

- A. Receive information from Commissioners to include but not limited to suggestions for future agenda items, general comments and/or updates from liaison assignments.
- B. Receive an update on tasks from the Planning Subcommittee.
- C. Receive an update on tasks from the Ordinance Subcommittee.
- D. Receive general comments and communication from City Council Liaison, Trish Hanks.
- E. Receive information from Staff regarding the June 2021 DRC Report, commercial and residential project updates, City Council action and ordinance updates.

9. ADJOURNMENT



Aubrey Harbin, LEED AP
Director of Community Development/City Planning

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made **two (2)** business days or more prior to this meeting. Please contact the City Secretary's Office at (281) 996-3270 for further information.

I, LETICIA BRYSCH, CITY SECRETARY OF THE CITY OF FRIENDSWOOD, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE FRIENDSWOOD PLANNING AND ZONING WAS POSTED IN A PLACE CONVENIENT TO THE GENERAL PUBLIC AND IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT, ON THIS 9TH DAY OF AUGUST, 2021, AT 5:30 P.M.



LETICIA BRYSCH, CITY SECRETARY

ALL MEETINGS OF THE PLANNING & ZONING COMMISSION ARE OPEN TO THE PUBLIC, EXCEPT WHEN THERE IS A NECESSITY TO MEET IN AN EXECUTIVE SESSION (CLOSED TO THE PUBLIC) UNDER THE PROVISIONS OF SECTION 551, TEXAS GOVERNMENT CODE. THE PLANNING & ZONING COMMISSION RESERVES THE RIGHT TO CONVENE INTO EXECUTIVE SESSION TO HEAR ANY OF THE ABOVE DESCRIBED AGENDA ITEMS THAT QUALIFIES FOR AN EXECUTIVE SESSION BY PUBLICLY ANNOUNCING THE APPLICABLE SECTION NUMBER OF THE OPEN MEETINGS ACT.



FRIENDSWOOD PLANNING & ZONING COMMISSION

AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Conduct a public hearing to receive comments both oral and written regarding proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2. Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.

Action: Choose an Option

SUMMARY / ORIGINATING CAUSE

These proposed changes are the result of discussions with the property owner and engineer of record for the proposed Panhandle PUD. The owner agreed to withdraw the PUD zone change application and these are the ordinance amendments that will make his development feasible, but also still be beneficial to other developments with the Industrial (I) zoning district.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Relaxing and amending some of the development regulations as they pertain to Industrial (I) zoning district and common developments will make many developments more feasible.

RECOMMENDATIONS

The Ordinance Subcommittee has reviewed these ordinance amendments and provides their approval.

ATTACHMENTS

1. Legal Newspaper Ad
2. Sec. 7.P.6. PUT Amendments (1)
3. Sec. 7.5 COD Bounday FM 2351
4. Sec. 8.I.2. Screening and lighting
5. Sec. 20 Definitions

CLASSIFIEDS 281-485-7501

LEGALS

Published July 21 & 28, 2021

NOTICE OF REQUEST FOR PROPOSALS

Friendswood Independent School District will accept proposals, for the #21-011 Supply of Electricity, until 3:00 P.M., August 16, 2021 (the "Due Date"). Proposals must be delivered before the Due Date to Friendswood Independent School District, 302 Laurel Drive, Friendswood, TX 77546 as further specified in the proposal (RFP) documents. This request for proposals is for electrical power and also related electrical power demand response and ancillary services as specified and detailed in the proposal documents, which may be obtained from AEG Affiliated Energy Group, Retail Division, fax (214) 292-8514, or email FriendswoodISD@affiliatedenergy.com. Interested parties must request proposal documents at least 24 hours prior to the Due Date. Friendswood ISD reserves the right to accept or reject any or all proposals, waive all informalities or irregularities and award the proposal in the best interest of Friendswood ISD. The proposal process will be conducted in accordance with the proposal procedures as set forth in the Texas Education Code 44.031.

LEGALS

Published July 14 & 21, 2021

CITY OF PEARLAND, TEXAS NOTICE TO BIDDERS

Sealed bids will be received by the City of Pearland Purchasing Division, 3519 Liberty Dr., until **11:00 a.m., CST, Thursday, July 29, 2021** and all bids will be publicly acknowledged by name via virtual meeting. Interested parties may join the meeting by calling into the meeting at: Dial in #: 281-652-1955; Meeting #: 1790#; Access Code #: 0971# on that date for:

TREE MAINTENANCE SERVICES BID NO. 0721-50

Bid forms, specifications and all necessary information may be obtained from the following website: <https://pearland.ionwave.net>. Vendors are encouraged to return the bid response electronically using the City's e-bid system but may submit by hard-copy to City Secretary, with either manner due by the closing date and time stated above.

The City reserves the right to reject any or all bids, or to accept any bid or combination of bids deemed advantageous to it.

Vendors should register on the City's e-bid system at <https://pearland.ionwave.net> (if not already registered). Once registered on the City's e-bid system, bid documents may be viewed on the site. If further assistance is needed, please email ebids@pearlandtx.gov no later than 9:00 a.m. Thursday, July 22, 2021. Make reference to **Bid Number 0721-50**. Bid Closing Date: **July 29, 2021**.

Crystal Roan
City Secretary, City of Pearland

First Publication: **July 14, 2021**
Second Publication: **July 21, 2021**

LEGALS

Published July 14 & 21, 2021

NOTICE TO BIDDERS CITY OF PEARLAND, TEXAS

Sealed Bids will be accepted until 2:00 p.m. Thursday, August 5, 2021 and read aloud into the public record for the following project:

Oakbrook & Oakbrook Estates Water Quality City of Pearland, Texas COP PN: WA1906 & WA2003 BID NO.: 0721-52

The project area is located North of Dixie Farm Rd in the Oakbrook and Oakbrook Estates subdivisions. Project address is 2753 Biscayne Bay Dr, Pearland, TX 77584. Streets included in Phase 1 are: Oak Lane Circle, Oak Cluster Circle, Oak Gate Circle, Oakbrook Circle, Oak Fork Circle, Oak Tree Circle, Oak Shire Drive, Castle Oaks Drive, Barretts Glen Drive, and Oak Lodge Drive. Streets included in Phase 2 are: Oak Bent Drive, Branch Hill Drive, Oak Lodge Drive, Scarlet Oak Drive, Oak Top Drive, East Baden Oaks Drive, Dixie Hill Court, Oak Point Court, Bracket Drive, Oak Leaf Circle, Oak Land Circle, Oak Point Drive, Pin Oak Drive N, Oak Place Court, Oak Trace Court, Oak Chase Court, Oak Bark Court, Majestic Oaks Court, and Winding Forest Drive.

The project will entail the addition of approximately 4,500 linear feet of new 6-inch diameter water line construction, and associated valves, connections, appurtenances, hydrostatic testing, and disinfection. The proposed water lines are to be installed by primarily trenchless construction.

A mandatory pre-bid conference will be held at City Hall at 3519 Liberty Dr, Pearland, Texas 77581 at 10:00 a.m. on Thursday, July 22, 2021.

All bids should be submitted through the E-Bid system located on the City's website at: <https://pearland.ionwave.net/Login.aspx>. All interested Bidders are advised to register as a "supplier" on the City's E-Bid System at the above website by clicking on "Supplier Registration" and completing a short registration questionnaire. Electronic Bid Documents, including Plans, Technical Specifications and Bid Forms are available for download after registration is approved by City Purchasing office. No plan fees or deposits are required for bid documents obtained through the City's E-bid System. Questions regarding electronic bidding should be directed to City Purchasing Office at ebids@pearlandtx.gov.

Bid Documents are also available for review at the following plan houses:

Amtex Plan Room	(713) 956-0100
The Associated General Contractors of America, Inc.	(713) 334-7100
Associated Builders & Contractors of Greater Houston	(713) 523-6222
Dodge Reports	(713) 316-9411

Bid Security, in the form of Cashier's Check, Certified Check, or Bid Bond, payable to the City of Pearland in the amount of 5% of the total base bid price, must accompany each Bid proposal. See Instructions to Bidders for Bond submittal information and instructions.

The City of Pearland reserves the right to reject any or all bids.

Crystal Roan,
City Secretary, City of Pearland

First Publication date **July 14, 2021**
Second Publication date **July 21, 2021**

LEGALS

Published July 21 & 28, 2021

NOTICE TO BIDDERS FRIENDSWOOD I.S.D. RFP #21-010

FISD REQUEST FOR PROPOSAL #21-010 PROMOTIONAL ITEMS & APPAREL

The Friendswood Independent School District will be accepting Sealed Proposals (Texas Education Code 44.031) for PROMOTIONAL ITEMS & APPAREL. Sealed proposals can be submitted online or to FISD's Administration Building at 302 Laurel Drive, Friendswood, Texas 77546. Proposals must be received on or before 2:00 p.m., August 25, 2021. Bid packets are available on FISD's website www.myfisdc.com/information-for-vendors or through the Public Purchase website www.publicpurchase.com. Please contact cbtain@fisdk12.net with any questions. The Friendswood Independent School District reserves the right to postpone, to accept or to reject any and all proposals as it deems to be in its best interest and to waive formalities and reasonable irregularities.

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change to Amend Avalon at Friendswood Planned Unit Development (PUD) 2019-37 to Incorporate 26.921 Acres of Annexed Property (no zoning district assigned)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for 183.386 acres of land located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.224 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.**

The Planning and Zoning Commission will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The City Council will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

The City of Friendswood is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. For assistance, please contact the City's ADA Coordinator Brian Rouane at 281-996-3285 via phone, 281-482-1634 via fax or contact 281-996-3285 via Relay Texas at 711 or 1-800-735-2988 for TYY services. For more information concerning Relay Texas, please visit <http://relay-texas.com>.

Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Accommodate the Development of Industrial (I) Zoned Properties in the Panhandle Area

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2. Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.

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Leticia Brysch, City Secretary

LEGALS

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Increase Mitigation Requirements to Promote Preservation of Existing Trees

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.

The Planning and Zoning Commission will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

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Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

NOTICE OF PUBLIC HEARINGS OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS

Notice is hereby given that the City Council of the City of Pearland, in Brazoria, Harris and Fort Bend Counties, Texas, the City Council of the City of Pearland will hold a hearing and Ordinance adoption consideration on Monday, **July 26, 2021**, at 6:30 p.m., at City Hall, 3519 Liberty Dr., Pearland, Texas 77581, by **telephone/video conference and in-person** with social distancing protocols and restrictions in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19), for the following cases:

1. Thoroughfare Plan Amendments: A request by the City of Pearland, applicant, for approval of proposed amendments to the Thoroughfare Plan of the City's Comprehensive Plan, in accordance with Texas Local Government Code Sections 211.004 and 213.003, to promote health, safety, general welfare, and provide for adequate facilities for transportation.

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. For additional information, please contact the Planning Department at 281-652-1765.

Martin Griggs, AICP, CNU-A
Planning Manager

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change Request to Change Approximately 3.65 Acres of Land from Community Shopping Center (CSC) to Industrial (I)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for approximately 3.65 acres out of 18.0137 acres located along FM 2351 (address not yet assigned), the 18.0137 acres more fully described in 4 tracts: 16.592 acres out of and part of Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, .0918 acres out of and part of Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, and .1119 acres of land out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas; and 1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, Film Code 688395, City of Friendswood, Harris County, Texas to change from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).**

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Leticia Brysch, City Secretary

For more news visit myreporternews.com

RICKY TULLOS OILER FOOTBALL CAMP

2nd - 9th Grade Football Camp 2021

Home of the 2010 5A Div. I

State Champions

July 26-28 (M-W) at The Rig

8:00 a.m. - 11:00 a.m.

Instructors: Pearland Oilers Football Staff

COST: \$75.00 PRE-REGISTER ~ \$85 FOR WALKUPS

WEAR: SHORTS, T-SHIRT & RUNNING SHOES

BRING: A POSITIVE ATTITUDE,

CLEATS, WATER BOTTLE, SUNSCREEN & MEDICATIONS

SKILLS: FOOTBALL SKILLS, WEIGHT ROOM TECHNIQUES,

NUTRITION, AND LEADERSHIP DEVELOPMENT

Fo more information contact RICKY TULLOS, CAMP DIRECTOR

281.997.3281 or tullostr@pearlandisd.org



ACC player selected in MLB Draft

Alvin Community College pitcher Owen Holt was recently selected in the Major League Baseball draft by the Cincinnati Reds.

Holt, of Houston, was taken in the 16th round of the draft and was the 480th overall pick.

"Owen came in with a mid-90 MPH fastball and good secondary stuff," ACC Baseball Coach Jason Schreiber said. "His personality and leadership was the attributes that impressed me the most. There is no doubt Owen will thrive in professional baseball."

Owen pitched for ACC this past season not long after he signed on to play for Harvard University.

"He came to us for the Spring semester," Schreiber said. "He wanted to play baseball and the Ivy League was not having their season due to COVID. Immediately Owen embraced the juko life and he fit in right away."

Owen was 7-3 in the Spring season for ACC with 65 strikeouts and a 10.26 K/9 ratio.

This summer Holt has been pitching for the Williamsport Crosscutters in the MLB Draft League.



Section 7. Schedule of district regulations.

- A. *SFR, residential, general purpose and description.* The SFR, Single-Family Residential Dwelling District, is restricted to single-family dwellings, up to 2.7 units per acre, and to related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly convenient, and attractive residential area. Single-family residential areas shall be protected from higher density residential development and from the encroachment of incompatible uses. Internal stability, harmony, attractiveness, order, and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities.
1. Area and height regulations. Area and height regulations in an SFR district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the SFR district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an SFR district are set forth in subsection P of this section, permitted use table.
- A.1. *SFR-E, residential, general purpose and description.* The SFR-E, Single-Family Residential Estate Dwelling District, is the most restrictive residential district. The principal use of land in this district is for low-density single-family dwellings, up to 0.5 units per acre, and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. Low-density residential areas shall be protected from multiple-family residential development and from the encroachment of incompatible uses. Internal stability, harmony, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities.
1. Area and height regulations. Area and height regulations in an SFR-E district, are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission with the SFR-E district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an SFR-E district are the same as SFR, and are set forth in subsection P of this section, permitted use table.
- B. *(R-2 and R-3) MFR-L, residential, general purpose and description.* The MFR-L, Multiple-Family Residential Dwelling—Low-Density District, is intended to provide for lowest-density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities, thereby resulting in a maximum density of six dwelling units per acre. The principal use of land may be one or several dwelling types, including multiple-family dwellings, and including two-family dwellings, garden apartments, condominiums and townhouses. Recreational, religious and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical and attractive residential area. The multiple-family residential dwelling district—low functions as a buffer or transition between commercial or higher density residential areas and lower density areas. The intent of these regulations is to allow development of property which may have a limited area suitable for residential development due to a portion of the property being flood-prone or adjacent to a district of a different zoning designation.

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1. Area and height regulations. Area and height regulations in an MFR-L district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for SFR uses permitted in MFR-L districts, all the district regulations for SFR development shall apply, including but not limited to, lot area, width and setback requirements.
 2. See section 8 for supplementary district regulations.
 3. Reserved.
 4. Permitted uses. Uses permitted in an MFR-L district are set forth in subsection P of this section, permitted use table.
- C. *(R-4) MFR-M, residential, general purpose and description.* The MFR-M, Multiple-Family Residential Dwelling—Medium-Density District, is intended to provide for medium-density multiple-family dwellings which may have a relatively intense concentration of dwelling units, up to nine per acre, served by large open spaces consisting of common areas and recreation facilities, thereby resulting in medium gross densities. The principal use of land may be one or several dwelling types, including low-rise multiple-family dwellings, garden apartments, condominiums and townhouses. Recreational, religious and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical and attractive residential area. The MFR-M, multiple-family residential district, functions as a buffer or transition between commercial or higher-density residential areas, and lower-density residential areas.
1. Multifamily residential area and height regulations. Area and height regulations in an MFR-M district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for MFR-L uses permitted in MFR-M districts, all the district regulations for MFR-L development shall apply, including but not limited to lot area, width and setback requirements.
 2. See section 8 for supplementary district regulations.
 3. Reserved.
 4. Permitted uses. Uses permitted in an MFR-M district are set forth in subsection P of this section, permitted use table.
- C.1. *MFR-GHD, garden home residential, general purpose and description.* The GHD, Garden Home Residential District, is intended to provide multifamily low-density dwelling units having open space between units which exceed existing normal multifamily buildings, with density not exceeding six units per acre. The intent of these regulations is to allow development of property which:
- (1) May have limited area suitable for residential development due to geographical limitations;
 - (2) Have portions of the property subject to flooding; or
 - (3) Is located adjacent to a district of a different zoning designation, and for which the development as MFR-GHD would be appropriate as a buffer between incompatible land uses.
- The interior living area of the first floor of any two-story residential structure in MFR-GHD shall contain not less than 60 percent of the structure's total living area, and not more than 40 percent of the structure's total living area shall be contained on the second floor, excluding open decks, porches, terraces and garages.
- D. *(R-5) MFR-H, residential, general purpose and description.* The MFR-H, Multiple-Family Residential Dwelling—Highest-Density District, is a residential district intended to provide for the highest residential density ranging up to 12 dwelling units per acre. The principal use of land in the district is for a wide variety of dwelling types, including low-rise multiple-family dwellings, garden apartments, condominiums, and townhouses and, subject to a specific use permit, high-rise apartments. Recreational, religious, health and educational uses normally located to service residential areas are permitted in this district in order to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. The MFR-H district is usually

located adjacent to the major street and serves as a buffer or transition between commercial development or heavy automobile traffic and medium-density residential development.

1. Area and height regulations. Area and height regulations in an MFR-H district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for MFR-L and MFR-M uses permitted in MFR-H districts, all the district regulations for MFR-L and MFR-M development shall apply, including but not limited to lot area, width and setback requirements.
2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-H district are set forth in subsection P of this section, permitted use table.

E. *(R-6) MHR, Mobile Home District, general purpose and description.* The MHR, Mobile Home District, is a residential district intended for mobile home development, up to ten units per acre. Recreational uses normally located in mobile home developments are permitted in this district.

1. Area and height regulations. Area and height regulations in an MHR, mobile home residential dwelling district, are set forth in section 7-Q.2, regulation matrix.
2. See section 8 for supplementary district regulations.
3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the MHR district under certain circumstances and conditions.
4. Permitted uses. Uses permitted in an MHR district are set forth in subsection P of this section, permitted use table.
5. Other required conditions. The provisions of Ordinance No. 129 (Mobile Home Ordinance) of the city shall apply to the MHR district.

F. *(C-1) CSC, Community Shopping Center District, general purpose and description.* The CSC, Community Shopping Center District, is intended for a unified grouping, in one or more buildings, of several, typically between five and 20, retail and service shops or stores that provide for the regular needs and are for the convenience of the people residing in adjacent residential neighborhoods. Gross floor area in a community shopping center typically ranges from 30,000 to 100,000 square feet, and land area consists of two to ten acres in size. It is intended that the community shopping center be developed as a unit, with adequate off-street parking for customers and employees, and with appropriate landscaping and screening to ensure compatibility with surrounding residential environment. This district is ideally located at the intersection of two or more arterial or major streets with a service area of up to 1½ miles. Development of a community shopping center requires approval of a development site plan by the planning and zoning commission.

1. Area and height regulations. Area and height regulations in a CSC district are set forth in subsection Q.2 of this section, regulation matrix.
2. See section 8 for supplementary district regulations.
3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the CSC district under certain circumstances and conditions.
4. Permitted uses. Uses permitted in a CSC district are set forth in subsection P of this section, permitted use table. A specific use permit for a shopping center as a particular use is required before any building permit or certificate of occupancy may be issued in this district.
5. No CSC district shall be created which includes less than two acres.

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6. Buildings in the CSC zoning district are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- G. *NC, Neighborhood Commercial District, general purpose and description.* The NC, Neighborhood Commercial District, is primarily intended for retail sales, services and office activities in a mixed grouping. This designation is intended for use along major thoroughfares and collector streets where larger tracts of land can be utilized as coordinated commercial centers. This designation is intended for use of land areas between one-quarter acre and two acres. Structure size is typically between 4,000 and 20,000 square feet. Development of a neighborhood commercial district requires approval of a development site plan by the planning and zoning commission. Office uses permitted in this district shall not exceed 60 percent of the gross building and structure floor area.
1. Area and height regulations. Area and height regulations in an NC district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the NC district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an NC district are set forth in subsection P of this section, permitted use table.
 5. Building site coverage consisting of all buildings and structures and all paved surfaces shall not exceed 90 percent of the total lot area.
 6. Buildings in the NC zoning district are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- G-1. *LNC, Local Neighborhood Commercial District, general purpose and description.* The LNC, Local Neighborhood Commercial District, is primarily intended for retail sale of convenience goods or services for persons residing in adjacent residential areas. Other uses are permitted in the LNC when they are of similar land use intensity and physical impact as those uses to be integrated into the surrounding residential area. Because the retail and personal service uses permitted may be an integral part of the neighborhood, closely associated with the residential, religious, recreational, and educational uses in the neighborhood, more restrictive requirements are placed on development relative to other commercial zoning categories. The local neighborhood district is intended for use at the entrance to residential areas and in some situations within the confines of a residential district. This designation is intended for use of land areas of up to one acre. Development of a local neighborhood commercial district requires approval of a development site plan by the planning and zoning commission.
1. Area and height regulations. Area and height regulations in an LNC district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning, compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the LNC district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an LNC district are set forth in subsection P of this section, permitted use table.

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5. The gross building and structure floor space shall not exceed 4,000 square feet.
 6. Building site coverage consisting of all buildings and structures and all paved surfaces shall not exceed 80 percent of the total lot area.
 7. Buildings in the LNC zoning district are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- H. *OPD, Office Park District, general purpose and description.* The OPD, Office Park District, is intended to encourage and permit general professional and business office development in a fashion consistent with surrounding development. This district is ideally suited as a buffer between commercial and residential areas. As such, it shall be considered for entrances and land adjacent to residential developments. The ultimate development is to provide land use intensity and landscaping consistent with surrounding areas. Development of an office park district requires approval of a development site plan by the Planning and Zoning Commission.
1. Area and height regulations. Area and height regulations in an OPD are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the Planning and Zoning Commission within the OPD under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an OPD are set forth in subsection P of this section, permitted use table.
 5. Show window or display window effects shall not be permitted and there shall be no display from windows or doors and no storage of merchandise in the building or on the premises except in quantities customarily found in professional or business offices.
 6. Retail operations that are primarily for selling to office park occupants are permitted. Examples of these retail operations would be restaurants, coffee shops, office supply, barbershops, gift shops, health spas, specialty stores.
 7. One caretaker's quarters unit may be provided for each office park complex.
 8. Building site coverage consisting of all buildings and structures and all paved surfaces shall not exceed 90 percent of the total lot area.
 9. Buildings in the OPD are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- I. *Downtown District (DD), general purpose and description.* The DD, downtown district, is designed to accommodate and promote the city's original business and downtown areas. It is intended to achieve a balance of retail, commercial, office, and residential and public activities. Development within the DD should be pedestrian friendly with an emphasis on shared parking and shared access between developments. Development within the DD requires the approval of a development site plan by the Planning and Zoning Commission.
1. Area and height regulations. Structures within the DD are intended to be between one to four stories. The maximum height allowed is 70 feet as measured in accordance with the method prescribed in section 20. Additional regulations are set forth under subsection Q.2 of this section, regulation matrix.

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- a. No residential use shall be allowed on the first floor.
 2. See section 8 for supplementary district regulations.
 3. Permitted uses. Uses permitted in the DD are set forth in subsection P of this section, permitted use table.
 4. Buildings in the DD are encouraged to have exterior cladding of brick, masonry, stone, stucco, glass or lap sided cement fiberboard. Sheet cement fiberboards are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- J. *PUD, planned unit development, general purpose and description.*
- (1) *General.*
 - (a) This district allows for greater flexibility in the design and coordination of a single use or mixed uses than in other districts because a specific ordinance is written for every PUD. A PUD is a unique zoning classification, and shall be granted only when the Planning and Zoning Commission and city council determine that the applicant has submitted a complete application containing sufficient detail. An applicant is not entitled to a PUD as a matter of right. The city reserves the right to establish conditions as determined appropriate.
 - (b) In no case shall a PUD be used for the sole purpose of circumventing the intent of city ordinances or plans. Unless standards for elements of site design are specifically described in a rezoning ordinance for a PUD, all design and development standards shall apply to all land development within a PUD district. The development must be planned as an integral unit and must protect nearby landowners from adverse impact with appropriate buffering and landscaping. A site plan is required for all PUDs.
 - (c) The general purposes of all PUD districts are several-fold:
 1. To encourage unified design and development of tracts of land incorporating a variety of uses, including, but not limited to, residential, commercial, office, and institutional;
 2. To accommodate innovation in development by modifying the city's land use and development regulations;
 3. To provide for and protect the public health, safety and general welfare of the city by assuring quality development in accordance with the city's comprehensive plan and other related goals;
 4. To minimize the negative impact of developments, especially those related to drainage, environment, traffic, and a public services and related facilities;
 5. To protect and enhance the aesthetic and visual qualities of development;
 6. To provide development of sites in a suitable fashion when such development is restricted by such factors as site location and shape;
 7. To promote economic development in accordance with the city's plans for such.
 - (2) *Application.*
 - (a) Application and approval process. A development review committee meeting with staff is required prior to application for a PUD. Following the DRC meeting, the applicant will submit all required documents described below to city staff for comments and corrections prior to scheduling the public hearing.

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- (b) Each PUD application shall be accompanied by payment for the processing fee as established in section 14. Advertisement and public hearings shall be held by the Planning and Zoning Commission and City Council in accordance with the notification procedure set forth for a rezoning application. Following the public hearing, the Planning and Zoning Commission shall forward the plan with its recommendation to the city council for consideration. The Planning and Zoning Commission and/or City Council may require additional information throughout the process.
- (c) An applicant may choose one of two ways to seek PUD approval:
1. Submit all items listed below with the application and the required processing fee for rezoning. This option would allow the site plan to be approved as a part of the zone change and prevent the applicant from a second submittal after rezoning to obtain site plan approval.
 - (a) Data describing all processes and activities involved with the proposed use;
 - (b) Boundaries of the area covered by the site plan;
 - (c) The location of each existing and proposed building and structure in the area covered by the site plan and the number of stories, height, roofline, gross floor area and location of building entrances and exits;
 - (d) The location of existing drainage ways, and significant natural features;
 - (e) Proposed landscaping and screening buffers;
 - (f) The location and dimensions of all curb cuts, public and private streets, parking and loading areas, pedestrian walks, lighting facilities and outside trash storage facilities;
 - (g) The location, height and type of each wall, fence, and all other types of screening;
 - (h) The location, height and size of all proposed signs;
 - (i) Utility and drainage plans;
 - (j) Regulation matrix designating what zoning district the development will follow;
 - (k) Data describing any variation from the typical development requirements; or
 2. Submit a conceptual plan with the application and the required processing fee for rezoning. This option will require the applicant to apply for site plan approval at a later date if the zone change to PUD is approved. At the time of site plan approval all information contained in the conceptual plan shall be certified by an engineer and/or surveyor. The conceptual plan shall provide the following information:
 - (a) General land use and density plan;
 - (b) Identify proposed general uses, densities, major open spaces, circulation and access features;
 - (c) Statement indicating proposed phasing of development and the projected timing of each;
 - (d) Data describing all processes and activities involved with the proposed use;
 - (e) Regulation matrix designating what zoning district the development will follow;
 - (f) Data describing any variation from the typical development requirements.

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- (3) Modification of standards proposed within a PUD.
- (a) Following adoption of a PUD ordinance pursuant to this section, all subsequent plans prepared for the development or any portion of the property within a PUD must substantially conform to the approved plan in accordance with the standards of the PUD ordinance, this section, and all other applicable ordinances of the city.
 - (b) The city recognizes that market conditions may alter the development of a large PUD and hereby provides that alterations in the land area or square footage, as appropriate, covered by a category of use, may be varied by not more than 25 percent. In no case shall such variations change traffic or circulation patterns, substantially alter the number or arrangement of buildings, increase the height of buildings, lessen the amount or effectiveness of open space or landscaped buffers, or result in a greater impact on adjacent properties or neighborhoods. Percentage changes specified herein shall be the maximum change allowed; multiple changes exceeding those percentages shall not be approved administratively, but shall require the owner to submit an application for an amendment to the district standards.
- K. *Reserved.*
- L. *A-1, Agricultural District, general purpose and description.* The A-1, Agricultural District, is intended for the growing and/or marketing of agricultural products.
- 1. Area and height regulations. Area and height regulations in an A-1 district are set forth in subsection Q.2 of this section, regulation matrix.
 - 2. See section 8 for supplementary district regulations.
 - 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the A-1 district under certain circumstances and conditions.
 - 4. Permitted uses. Uses permitted in an A-1 district are set forth in subsection P of this section, Permitted use table. Residential development is prohibited in the A-1 district; however, dwelling quarters for onsite employees and their families are permitted provided such residential use conforms to the SFR district regulations, including lot area, width and setback requirements and parking ratio.
- M. *(M-1) LI, Light Industrial District, general purpose and description.* The LI, Light Industrial District, is intended primarily for the conduct of light manufacturing, assembling, and fabrication, and for warehousing, wholesaling, and service operations. This district is designed to upgrade industrial development standards, prevent industrial blight, and protect light industrial development from incompatible residential, commercial or heavy industrial uses.
- 1. Area and height regulations. Area and height regulations in an LI district are set forth in subsection Q.2 of this section, regulation matrix.
 - 2. See section 8 for supplementary district regulations.
 - 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the LI district under certain circumstances and conditions.
 - 4. Permitted uses. Uses permitted in an LI district are set forth in section 7-P, permitted use table.
- N. *I, Industrial District, general purpose and description.* The I, Industrial District, is intended to provide for industrial uses and other uses not otherwise provided for in the other districts. The intensity of uses permitted in this district makes it necessary to separate it from all residential districts and most commercial districts wherever possible.

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1. Area and height regulations. Area and height regulations in an I district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the I district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an I district are set forth in subsection P of this section, permitted use table.
- O. *BP, Business Park District.* The BP, Business Park District, is intended to encourage and permit light manufacturing and/or service operations and auxiliary retail and wholesale sales. The business may be individually owned or leased by a common owner. The types of uses, and the design and exterior appearance shall be so controlled as to maintain the integrity and be generally compatible with adjacent surrounding residential and commercial development. All services, manufacturing and storage are to be indoors. This district shall access or abut major thoroughfare and/or collector streets. It is intended that the business park be developed as a unit. Development of a business park district shall be developed on a minimum of 10,000 square feet and shall be subject to site plan approval by the planning and zoning commission.
1. Area and height regulations. Minimum size business park 10,000 square feet, no structure within a BP shall be located within 25 feet of an exterior BP boundary (an exterior BP boundary is one that abuts a zone other than BP).
 2. See section 9 for temporary certificates of zoning compliance that may be granted by the administrative official and specific use permit that may be recommended by the planning and zoning commission within the BP district under certain circumstances and conditions.
 3. See section 8 for supplementary district regulations.
 4. Permitted uses. Uses permitted in a BP district are set forth in subsection P of this section, permitted use table.
 5. Light manufacturing is permitted only if limited to final machining, assembly, testing, processing and packaging into finished goods from raw materials produced elsewhere, such as electronic parts assembly, medical products processing, mechanical parts assembly and aerospace equipment processing.
 6. Truck docking facilities are permitted, provided they are located in the rear or side yard and screened from view of adjacent street right-of-way.
 7. Screening devices for refuse containers are required.
 8. Parking shall be designated on the parking group section of the permitted use table. However, a minimum of four parking spaces per business or four spaces per 1,000 square feet of gross building floor space for each structure, whichever is greater, is required.
 9. Performance standards shall conform to section 8.J as shown in the CSC zoning district.
 10. Exterior requirements. All buildings are encouraged to be constructed with at least 65 percent of their exterior walls, excluding doors and windows, constructed of masonry materials, or concrete construction or a combination of masonry, concrete, aluminum or glass materials, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
 11. Except as specifically provided in the permitted use table in subsection P of this section, retail sales shall be permitted as accessory uses only and then only to the extent that such sales are sales of

products manufactured or serviced on the premises. Retail sales shall not be permitted as a primary use in the BP district except where specifically authorized in said subsection P of this section.

P. *Permitted uses.*

1. *Use of land and buildings.* Buildings, structures, land or premises shall be used only in accordance with the uses specifically permitted in the zoning district classification for the site subject to compliance with parking regulations, height and area requirements, special conditions and all other requirements of the zoning ordinance.
2. *Permitted use table.* The permitted uses in each specific zoning district are shown by means of symbols in the permitted use tables on the following pages. The letter "P" in the zoning district column opposite the listed permitted use means the use is permitted as a use of right in that district. The letter "S" in the zoning district column opposite the permitted use means the use is permitted in that zoning district only obtaining a specific use permit as set forth in section 9.G. No primary use shall be permitted in any district unless the letter "P" or the letter "S" appears opposite the listed permitted use. The letter "O" in the zoning district column means that the permitted use is for office functions only. Parking requirements are in section 8.F. The letters "NP" in the PUD-Mixed Use Zoning District column means those uses so specified are not permitted under any circumstance.
3. *Uses not listed.* Primary uses not listed in the permitted use table may be permitted in any district where similar uses are permitted. The function and locational requirements of the unlisted use must be consistent with the purpose and description of the zoning district, compatible with the permitted uses in the district, and be similar in traffic-generating capacity, noise, vibration, dust, odor, glare and heat producing characteristics.
4. *Accessory use.* A use which is customarily incidental to that of the primary existing use, which is located on the same lot or premises as the primary existing use, and which has the same zoning district classification shall be permitted as an accessory use without being separately listed as a permitted use.
5. *North America Industry Classification System (NAICS) Codes.* The activity descriptions in the current NAICS Codes prepared by the United States Executive Office of the President, Office of Management and Budget, shall be used to determine the primary establishment uses when reference is made in the tables to a designated standard industrial classification. Every January, community development staff shall determine if the manual has been revised. If the manual has been revised, such revisions and changes will be summarized in a written report and presented to the planning and zoning commission. The commission will make recommendations to council regarding adoption of the revised manual and appropriate changes to the zoning ordinance permitted use table. The commission may recommend that an ad hoc committee review and propose revisions to the permitted use table.
6. *Permitted use table.*

Residential Uses	SFR and SFR-E	MFR-GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	A-1	L1	I	BP
Single-Family Residence	P		P												
Multi-Family Residence—Garden Home		P													
Multiple-Family Residence—Low Density			P	P	P										
Multiple-Family Residence—Medium Density				P	P										
Multiple-Family Residence—High Density					P										

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Mobile Home Residence						P											
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	2017 NAICS Industry Descriptions	SFR and SFR-E	MFR-GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	A-1	L1	I	BP
	Sexually oriented businesses (Ch. 62)														S	
11	<i>Agriculture, Forestry, Fishing and Hunting</i>															
111	Crop production							O	O		O	O	P			
1114	Greenhouse, nursery and floriculture production										O	O	P	S	S	O
112	Animal production							O	O		O	O	P			
113	Forestry and logging										O	O	P	S	P	
1133	Logging										O	O	S		S	
114	Fishing, hunting and trapping										O	O	P			
115	Support activities for agriculture and forestry							O	O		O	O	P		O	
21	<i>Mining</i>															
211	Oil and gas extraction										O	O	S	S	S	
212	Mining, except oil and gas										O	O	S	S	S	
213	Support activities for mining										O	O	S	S	S	
22	<i>Utilities</i>															
221	Utilities										O	O		S	P	O
23	<i>Construction</i>															
236	Construction of buildings							O	O		O	O		P	P	P
237	Heavy and civil engineering construction							O	O		O	O		P	P	S
238	Specialty trade contractors							O	O		O	O		P	P	P
31—33	<i>Manufacturing</i>															
311	Food manufacturing							O			O	O		S	S	S
311811	Retail bakeries							P	P			P				
312	Beverage and tobacco product manufacturing							O			O	O		S	S	S
313	Textile mills							O			O	O		S	S	S
314	Textile product mills							O			O	O		S	S	S
315	Apparel manufacturing							O			O	O		S	S	S

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(Supp. No. 3)

316	Leather and allied product manufacturing							O			O	O		S	P	S
3161	Leather and hide tanning and finishing							O			O	O		O	S	O
321	Wood product manufacturing							O			O	O		S	P	S
322	Paper manufacturing							O			O	O		O	S	O
323	Printing and related support activities							S			O	S		P	P	P
323113	Commercial screen printing							P	S		O	P		P	P	P
324	Petroleum and coal products manufacturing							O			O	O		S	S	S
325	Chemical manufacturing							O			O	O		S	S	S
325412	Pharmaceutical preparation manufacturing							O			O	O		P	P	P
326	Plastics and rubber products manufacturing							O			O	O		S	P	S
3262	Rubber product manufacturing							O			O	O		O	P	O
327	Nonmetallic mineral product manufacturing							O			O	O		O	P	O
331	Primary metal manufacturing							O			O	O		O	S	O
332	Fabricated metal product manufacturing							O			O	O		S	P	S
333	Machinery manufacturing							O			O	O		S	P	S
334	Computer and electronic product manufacturing							O			O	O		P	P	P
335	Electrical equipment, appliance and component manufacturing							O			O	O		P	P	P
33591	Battery manufacturing							O			O	O		O	S	O
336	Transportation equipment manufacturing							O			O	O		S	P	S

Created: 2021-06-15 13:47:32 [EST]

(Supp. No. 3)

337	Furniture and related products manufacturing							O			O	O		S	P	S
339	Miscellaneous manufacturing							O			O	O		P	P	S
3391	Medical equipment and supplies manufacturing							O			O	O		P	P	P
42	<i>Wholesale Trade</i>															
423	Merchant wholesalers, durable goods							O			O	O		P	P	P
424	Merchant wholesalers, nondurable goods							O			O	O		P	P	P
425	Wholesale electronic markets and agents and brokers							O			O	O		P	P	P
44—45	<i>Retail Trade</i>															
4411	Automobile dealers							O			O	O		P	P	O
4412	Other motor vehicle dealers							O			O	O		P	P	O
4413	Automotive parts, accessories and tire stores							P	S		O	O		P	P	P
442	Furniture and home furnishing stores							P	P		O	P		S	S	P
443	Electronics and appliance stores							P	P		O	P		S	S	P
444	Building material and garden equipment and supplies dealers							P	P		O	P		P	P	P
444190	Other building material dealers							S	S		O	O		S	S	S
445	Food and beverage stores							P	P		O	P		S		S
446	Health and personal care stores							P	P		O	P		P		P
447	Gasoline stations							P	P		O			P	P	
447190	Other gasoline stations										O	O		S	S	
448	Clothing and clothing accessory stores							P	P		O	P				P
451	Sporting goods, hobby, book and music stores							P	P		O	P				P

Created: 2021-06-15 13:47:32 [EST]

(Supp. No. 3)

452	General merchandise stores							P	P		O	P		P	P	P
453	Miscellaneous store retailers							P	P		O	P		P	P	P
4533	Used merchandise stores							P	P			P		P	P	P
45393	Manufactured (mobile) home dealers										O	O			S	
45399	All other miscellaneous store retailers							P	P			P		P	P	P
454	Nonstore retailers							S	S		O	S		S	S	S
48—49	<i>Transportation and Warehousing</i>															
481	Air transportation										O	O		O	O	O
482	Rail transportation										O	O		S	P	S
483	Water transportation										O	O		O	S	O
484	Truck transportation										O	O		P	P	S
485	Transit and ground passenger transportation							S	S		O	S		S	S	S
486	Pipeline transportation	S	S	S	S	S	S	S	S		S	S	S	S	S	S
487	Scenic and sightseeing transportation							S			O	P				P
488	Support activities for transportation							S	S		O	O		S	P	P
48841	Motor vehicle towing										O	O		S	P	O
491	Postal service							P	P		O	P		P	P	P
492	Couriers and messengers							P	P		O	P		P	P	P
493	Warehousing and storage										O	S		P	P	P
51	<i>Information</i>															
511	Publishing industries							P			O	P		P	P	P
512	Motion picture and sound recording industries							S			O	S		S	S	S
515	Broadcasting (except internet)							S	S		O	O		P	P	P
517	Telecommunications							S	S		O	S		P	P	P
517911	Telecommunication resellers							P	P		O	P		P	P	P

518	Data processing, hosting and related services							S	S		O	S		S	P	P
519	Other information services							S	S		O	S		S	P	P
52	<i>Finance and Insurance</i>															
521	Monetary authorities—Central bank							P	P		P	P		P		P
522	Credit intermediation and related activities							P	P		P	P		P		P
522298	All other nondepository credit intermediation(i.e., pawn shops)							S			O	S		S	P	P
523	Securities, commodity contracts, and other financial investments and related activities							P	P		P	P		P		P
524	Insurance carriers and related activities							P	P		P	P		P	P	P
525	Funds, trusts, and other financial vehicles							P	P		P	P		P		P
53	<i>Real Estate and Rental and Leasing</i>															
531	Real estate							P	P		P	P		P	P	P
53113	Lessors of miniwarehouses and self-storage units							O	O		O	O		O	P	P
532	Rental and leasing services							P	S		O	S		P	P	P
53212	Truck, utility trailer and RV rental							O	O		O	O		O	P	P
533	Lessors of nonfinancial intangible assets (except copyrighted works)							P	P		P	P		P	P	P
54	<i>Professional, Scientific and Technical Services</i>															
541	Professional, scientific and technical services							P	P		P	P		P	P	P
54138	Testing laboratories							S			O	S		S	P	P
55	<i>Management of Companies and Enterprises</i>															

551	Management of companies and enterprises							P	P		P	P		P	P	P
56	<i>Administration/Support Waste Management/Remediation Services</i>															
561	Administrative and support services							P	P		O	P		P	P	P
561730	Landscaping services							S			O	O		S	P	S
56179	Other services to buildings and dwellings							S			O	O		S	P	P
562	Waste management and remediation services										O	O		S	P	S
61	<i>Educational Services</i>															
6111	Elementary and secondary schools	S	S	S	S	S	S	S	S		O	S	S	S	S	S
6112	Junior colleges							S			O	S	S	S	S	S
6113	Colleges, universities and professional schools							S			O	S	S	S	S	S
6114	Business schools and computer and management training							S			O	S	S	S	S	S
6115	Technical and trade schools							S			O	S	S	S	S	S
6116	Other school and instruction							P	P		P	P	S	P	P	
62	<i>Health Care and Social Assistance</i>															
621	Ambulatory health care services							P	P		P	P				P
622	Hospitals							P			O	S		P		P
6231	Nursing care facilities—Skilled nursing facilities							S	S		O	S				
6232	Residential, intellectual and development disability, mental health, and substance abuse facilities	S1	S1													
623311	Continuing care retirement communities (with on-site nursing)	S1	S1					S	S		O	S				
623312	Assisted living facilities for the	S1	S1					S	S		O	S				

	elderly (without on-site nursing)															
624	Social assistance							S			O	S				S
6244	Child day care services (childcare centers)							P	P		O	P				
6244	Child day care services (registered and/or licensed childcare home)	P	P													
71	<i>Arts, Entertainment and Recreation</i>															
7111	Performing arts							P			O	P				P
7112	Spectator sports							S			O	O				P
7113	Promoters of performing arts, sports and similar events							P			O	P				P
712	Museums, historical sites and similar institutions	S	S	S	S	S	S	P	S		O	P	S	S	S	S
7131	Amusement parks and arcades											S		S	P	
7132	Gambling industries															
7139	Other amusement and recreation industries											S		S	P	
713940	Fitness and recreational sports centers							P	S			P		P	P	
72	<i>Accommodation and Food Services</i>															
7211	Traveler accommodation							S			O	S		S	S	S
7212	RV (recreational vehicle) parks and recreational camps										O			S	S	
7213	Roominghouses and boardinghouses							S			O	S		S	S	S
7223	Special food services							P	P		O	P		P		P
7224	Drinking places (more than 75% sales of alcoholic beverages)							S				S		S		S
7225	Restaurants and other eating places							P	P		O	P		P		P
81	<i>Other Services (Except Public Administration)</i>															
8111	Automotive repair and maintenance							P	S		O	S		S	P	

81112	Automotive body, paint, interior and glass repair							S	S		O	S		S	P	
8112	Electronic and precision equipment repair and maintenance							S			O	O		S	P	P
8113	Commercial and industrial machinery and equipment (except automotive and electronic repair and maintenance)							S			O	O		S	P	P
8114	Personal and household goods repair and maintenance							S			O	O		S	P	P
8121	Personal care services							P	P		P	P		P		P
8122	Death care services							S	S		O	S		S		S
8123	Dry cleaning and laundry services							P	P		P	P		P		P
8129	Other personal services							P	P		P	P		P		P
8131	Religious organizations	S	S	S	S	S	S	S	S		O	S	S			
8132	Grantmaking and giving services							O	O		O	O		O		O
8133	Social advocacy organizations							O	O		O	O		O	P	O
8134	Civic and social organizations							O	O		O	O		O	P	O
8139	Business, professional, labor, political, and similar organizations							O	O		O	O		O		O
814	Private households	P	P	P	P	P	P					P (a)	P			
92	<i>Public Administration</i>															
921	Executive, legislative, and other general government support							P			O	P		P		P
922	Justice, public order and safety activities							P			O	P		P		P
92214	Correctional institutions														S	

923	Administration of human resource programs							P			O	P		P		P
924	Administration of environment quality programs							P			O	P		P		P
925	Administration of housing programs, urban planning, and community development							P			O	P		P		P
926	Administration of economic programs							P			O	P		P		P
927	Space research and technology							P			O	P		P		P
928	National security and international affairs							P			O	P		P		P

(a) Second floor and above.

(b) Legend:

1. P: Permitted.
2. S: Special use permit required.
3. O: Office use only.
4. Blank: Not permitted.
5. S1: Site plan approval required; these facilities shall be subject to the following additional supplemental requirements at the time the first permit, certificate of occupancy, or zoning compliance request is submitted:
 - a. A site plan shall be submitted showing the layout of the proposed site, including present and proposed structures, driveways, parking areas, loading and delivery areas, trash collection areas, or other improvements. A site plan submitted under this subsection shall be subject to review and recommendation to the city council by the planning and zoning commission and approval by the city council.
 - b. An elevation shall be submitted that shows the exterior of the structure and any and all proposed changes to any existing building, yard, or other improvements. A personal care facility shall maintain its residential appearance. In no case will parking lots or spaces be authorized in a front yard, nor may loading and delivery areas, trash collection areas, or recreation areas be located in the front yard or so as to be visible from the street of any personal care facility.
 - c. A copy of the state license authorizing the individual proposing the use to open and operate such a facility, or, if the license has not been granted, a copy of the application submitted to the state department of licensing and regulation for such a license, along with a list of the remaining approvals or requirements to

be met in order to obtain such a license. Within 60 days of receipt of such license, and in any case, prior to the issuance by the city of a certificate of occupancy for the facility, a copy of such state license shall be provided to the city's building official.

- d. No personal care facility shall be allowed to open or operate until a license has been issued by the appropriate state regulatory agency. Any facility opening or operating without a valid state license or city approved site plan shall be subject to immediate closure by the city and all remedies and penalties available under state law.
 - e. All applications filed with the city must indicate what type (A, B, or C) of facility is planned for operation under the licensing standards for personal care facilities, published by the state department of human services, so staff may evaluate the plans under the appropriate code requirements.
 - f. Compliance with all applicable city and state codes, ordinances and regulations shall be required prior to issuance of a certificate of occupancy for the operation of a personal care facility. In case of a conflict between city and state regulations, the more stringent shall control.
- (c) Notwithstanding the permitted uses depicted in this table, which are intended to address uses not otherwise regulated or restricted by federal, state, or related law for protected specific uses, it is the intention of the city to fully comply with all such legal requirements. Any applicant who is relying upon any such specific rules or regulations not otherwise addressed in this table shall provide the relevant provisions to the city for review.
- (d) *Swimming pool.* Exception for private recreation facilities under subsection (e) of this section.
- 1. If located in any residential zoning district, the pool shall be intended and used solely for the enjoyment of the occupants of the principal use of the property on which it is located and their guests.
 - 2. A swimming pool shall be deemed an accessory structure under the terms of this appendix, and shall, except as otherwise specifically provided herein, be subject to all requirements and restrictions hereunder. A swimming pool may be erected within a required rear yard, provided it is set back no closer than five feet from any rear lot line, but shall not be erected within any required front or side yard. Swimming pool pump, filter, and heating equipment may be located within a required side or rear yard, but not nearer than five feet from any side or rear property line.
- (e) *Private recreation facility.* Private recreation facilities in residential districts for multifamily developments, subdivisions, or homeowners' associations shall be restricted to use by the occupants of the residence and their guests, or by members of a club or homeowners' association and their guests, and shall be limited to such uses as swimming pools, open game fields, basketball, shuffleboard, racquetball, croquet, and tennis courts, and meeting or locker rooms. Private recreation facilities shall not be located within 25 feet of any street right-of-way or within ten feet of any abutting property line. Activity areas shall be fenced and screened from abutting properties. Dispensing of food and beverages shall be permitted on the premises only for the benefit of users of the recreation facility and not for the general public. Off-street parking shall be required on the basis of one space for each 4,000 square feet of area devoted to recreational use with a minimum of four spaces and a maximum of 20 spaces.
- (f) *Auto repair garage.* Automobile repairing, painting, upholstering and body and fender work shall be performed only under the following conditions:

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1. All body and fender repairing shall be done within a completely enclosed building or room with stationary windows that may be opened only at intervals necessary for ingress and egress.
 2. No spray painting may be done except in a spray booth especially designed for that purpose.
 3. All other auto repairing, etc., shall be conducted within a building enclosed on at least three sides.
 4. All vehicles awaiting body repair and/or paint, not currently being worked on within the required building, shall be stored behind and completely screened by an eight-foot opaque fence. The fence must be placed as to not block visibility of traffic and allow required ingress and egress. In addition, the fence must comply with fence requirements as noted in section 8.B.
 5. Repaired vehicles, or those waiting to be repaired, cannot occupy recommended parking places.
- (g) *Temporary batching facility.* Before a specific use permit may be granted for a temporary batching facility, the city council shall find that such batching plant, yard, or building is both incidental to and necessary for construction within two miles of the plant. A specific use permit may be granted for a period of not more than 180 days, and approval shall not be granted for the same location for not more than four specific use permits during any 30-month period. Within 30 days following the termination of any batching plant, the permittee shall cause the site to be returned to its original condition.
- (h) *Junkyards.* No property located within the corporate limits of the city shall be used and no building shall be erected for or converted to be used as an auto wrecking yard, junkyard, salvage storage, scrap metal storage yard or wrecking material yard, except in the I, industrial district.
- (i) *Dry cleaning facilities.* Dry cleaning establishments shall be subject to the following additional supplemental requirements at the time of submittal for site plan approval, certificate of occupancy, first permit or zoning compliance request. Compliance with all applicable city, state and federal codes, ordinances and regulations shall be required prior to the issuance of a certificate of occupancy. In the case of a conflict between city, state and federal regulations, the more stringent shall control. Reports and copies of all documentation listed below must be provided to the city on a quarterly basis.
1. The facility may process only the clothing dropped off by customers at that location.
 2. All employees shall be certified by the equipment manufacturer before operating or maintaining the equipment at that site.
 3. The facility shall be registered with the EPA and TNRCC as a small industrial generator of hazardous waste, if required by state or federal regulations, or the owner shall provide proof that it is exempt from such registration.
 4. The facility shall have a sampling port installed on its property to allow compliance sampling by city, state, or federal agencies, of sewer effluent.
 5. Perchloroethylene waste storage shall be limited to no more than 90 days on-site.
 6. Perchloroethylene waste removal shall be handled by a third-party transporter and removed to a RCRA permitted treatment storage and disposal facility.
 7. No perchloroethylene shall be stored on-site other than in the dry cleaning machine system.

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- (j) *Single tenant or occupant retail uses occupying 50,000 gross square feet or more.* The following requirements shall be in addition to the requirements of any applicable zoning district or overlay district. The following regulations also apply if any interior portion of the 50,000 gross square feet of the building envelope is subleased to another tenant or occupant not affiliated with the primary tenant or occupant:

1. Provide a noise mitigation plan to verify compliance with the city's current maximum permissible sound levels located in article IV, chapter 54 of the Code of Ordinances;
2. Front building facades and facades fronting private or public streets with facades greater than 200 feet in length shall incorporate wall plane projections or recesses that are at least six feet deep. Projections and/or recesses must be at least 25 percent of the length of the facade. Uninterrupted lengths of facade may not exceed 100 feet in length;
3. Buildings shall be architecturally finished on all four sides with the same architectural elements as required in subsection P.6.(j)4 of this section except the rear of the building, provided that a double row of trees is planted along the property line behind the building. In this case, the architectural finish must match the remainder of the building in color and facade material only. A double row of trees shall include trees planted on offset 50-foot centers in a 15-foot landscape buffer, where 50 percent of the trees are canopy evergreen trees; and
4. Buildings that are 50,000 square feet or more in size must include a minimum of six of the following architectural elements. Buildings that are 100,000 square feet or more in size must include a minimum of eight of the following architectural elements or other architectural features approved by the planning and zoning commission:
 - a. Canopies, awnings or porticos.
 - b. Overhangs.
 - c. Arches.
 - d. Arcades (a series of adjoining arches).
 - e. Peaked roof forms.
 - f. Outdoor patios.
 - g. Display windows.
 - h. Architectural work, such as tile work and moldings integrated into the building facade.
 - i. Articulated ground floor levels or base.
 - j. Articulated cornice lines.
 - k. Integrated planters or wing walls that incorporate landscape and sitting areas.
 - l. Offsets, reveals, or projecting ribs used to express architectural or structural bays.
 - m. Accent materials (minimum 15 percent of exterior facade).
 - n. Varied roof heights.
 - o. Other architectural features approved by the planning and zoning commission.

Q. *District area and height regulations.*

1. No lot, parcel, premises or tract of land shall be created and no building permit shall be issued for any request that does not meet the appropriate minimum lot area, width, depth, yard and height regulations as set forth in the following tables.
2. See regulation matrix.

REGULATION MATRIX - COMMERCIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

Zoning District	Lot Area Minimum Square Feet	Lot Width Minimum Feet	Lot Depth Minimum Feet	Yards—Minimum Feet					
				Front	Rear (a)	Side			
						Interior		Exterior	
						When Abutting Property in a Residential District or Garden Home District	When Abutting Property in a Nonresidential District	When Backing Up to an Abutting Side Yard	When Backing Up to an Abutting Rear Yard
CSC	15,000	100	150	30	15	25	10	25	10
NC	12,000	100	120	30	15 D	25	10	25	10
LNC	10,000	100	100	30	15 D	25	10	25	10
DD	15,000 E	0	0	0	0 G 15 F	15	0	0	0
OPD	10,000	100	100	30	15	25	10	25	10
BP	10,000	100	100	30	25	25	10 J	25	10 J
LI	15,000	100	100	30 A	25	25	10	25	10
I	20,000	100	100	30 B	25 C	40 C	10	25 C	10 C

- A. When LI district is across the street from a residential district, front yard shall be a minimum of 40 feet from street R.O.W.
- B. When I district is across the street from a residential district, front yard setback shall be a minimum of 50 feet from street R.O.W.
- C. When industrial district abuts side and/or rear residential district, setback shall be a minimum of 90 feet.
- D. When rear yard of an NC or LNC district abuts a nonresidential district, rear yard setback shall be a minimum of 15 feet.
- E. Lots within the downtown district (DD) in existence prior to the creation of the DD shall be deemed as lawfully existing and shall be allowed to develop under DD regulations. Further, tracts of any size in existence prior to the creation of the DD may be combined into larger tracts and developed, even if the aggregate size is less than 15,000 square feet. Further, no lot classified as within the DD zone may be subdivided to less than the minimum size of 15,000 square feet.

Created: 2021-06-15 13:47:32 [EST]

- F. When DD rear yard abuts a residential district (residential district or garden home district), rear yard setback shall be a minimum of 15 feet.
- G. When DD rear yard abuts a non-residential district, rear yard shall be a minimum of zero feet.
- H. In NC and OPD, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 90 percent of the total lot area, per subsections G.5 and H.8 of this section.
- I. In LNC, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 80 percent of the total lot area, per subsection G-1.6 of this section.
- J. In BP, no structure shall be located within 25 feet of an exterior BP boundary. An exterior BP boundary is one that abuts a zone other than BP, per subsection O.1 of this section.
- K. Height maximum includes belfries, chimneys, cooling towers, elevator bulkheads, fire towers, storage towers, monuments, ornamental towers and spires, stage towers and scenery lofts, tanks and water towers.

REGULATION MATRIX—RESIDENTIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

	Units per Acre	Lot Area Minimum Square Feet	Lot Width	Yards—Minimum Feet					Height Maximum Feet (b and e)	Parking Requir Unit
				Front	Rear (a)	Side				
						Interior (d)	Exterior (Corner Lot)			
							Backing Up to an Abutting Side Yard	Backing Up to an Abutting Rear Yard		
SFR Single-Family Residential	2.7	11,600	90 A	25 B	25	10 F	25 A	20 C	40	K
SFR Single-Family Residential	2.7	15,600	120 A	25 B	25	10	25 B	20 C	40	K
SFR-E Single-Family— Residential Estate	0.5	87,120	150 A	75	25	25	35	35	40	K
MFR-L Multifamily— Low	6 G	7,260 G	45 G	25 B	25	10 E, I	25 B	20 C	40	K

Created: 2021-06-15 13:47:32 [EST]

(Supp. No. 3)

MFR-M Multifamily— Medium	9	—	—	25 B	0	10 E, I	25 B	20 C	40	K
MFR-H Multifamily— Highest	12	—	—	25 B	0	10 E, I	25 B	20 C	40	K
MHR Mobile Home	10	—	—	25 B	25	10 I	30	25 B	20	K
A-1	—	—	—	25 B	25	10 I	25 B	20 C	40	K
MFR-GHD Garden Home District	6	6,000	60	20 B, H	20	0 D, J	5 B, H	4 C, H	40	K

- A. Lots of less than 120 feet wide require curbs. Lots 120 feet wide or greater may use open ditches.
- B. 35 feet on thoroughfares.
- C. 25 feet on thoroughfares.
- D. Zero setback on side only, minimum five-foot separation between buildings.
- E. Ten-foot minimum separation between buildings.
- F. Lots currently in existence with less than 90 feet of width may continue with the same existing setback provided they are not less than a minimum of five feet.
- G. Developer must elect either units per acre or lot area. Two-family residential units on two lots are required when lot area is elected.
- H. Front yard and exterior side yard setbacks shall be measured from the edge of the street ROW or the edge of the drainage utility/access easement (if streets are private), whichever is greater.
- I. 25 feet when abutting land zoned single-family residential (SFR) district.
- J. Ten feet when abutting land zoned anything other than MFR-GHD (garden home district).
- K. Parking is required in accordance with the parking group table in the design criteria manual.

3. *Area and height exceptions.*

- a. Height maximum in community shopping center (CSC), neighborhood commercial (NC), office park district (OPD), light industrial (LI), industrial (I), and business park (BP) districts may exceed 40 feet in height when the building setback from the nearest property line is equal to the building height. Further, the building or structure shall fit under an imaginary line that is not greater than 45.0 degrees at the property line from a horizontal line established at the minimum habitable floor elevation, provided, however, no building or structure on property adjacent to a residential zone shall have a height that exceeds 50 feet.
- b. Exceptions for community shopping center (CSC), neighborhood commercial (NC), office park district (OPD), light industrial (LI), industrial (I), and business park (BP) districts:

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1. On buildings or structures located in these districts, finials, crosses, and other religious symbols shall not extend more than ten feet above the building or extend more than ten feet above the allowable building height; and
 2. Finials, crosses and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- c. Exceptions for the downtown district (DD):
1. On buildings or structures located in the downtown district (DD), finials, crosses and other religious symbols shall not extend more than 18 feet above the building or extend more than 18 feet above the allowable building height; and
 2. Finials, crosses, and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- d. Communications towers height criteria:
1. Height limitations of communication towers. The maximum communication tower height, including antennae, lightning rods and accessories, in residential districts shall not exceed 40 feet and in non-residential districts shall not exceed 200 feet, unless otherwise approved by city council.
 2. Height limitations for communication towers placed on existing buildings. Communication towers and antennae, which are located on top of buildings or structures shall not be more than 30 percent of the structure height above the structure.
 3. This section applies to telecommunication towers, ham radio and television antennas, microwave relay, radio and television transmission towers.
- e. Buildings or structures located in a planned unit development (PUD): Buildings and structures located in a planned unit development (PUD) shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a PUD application will be as established in the ordinance authorizing and approving the PUD.
- f. Accessory buildings or structures in residential districts: Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.
- g. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.
- h. When individual attached townhouses or condominiums are to be sold separately, there shall be no minimum lot area requirements, provided that the total land area of the project, including the land on which the units are located and the land held in common ownership by the unit owners, is equal to the total minimum land area required per dwelling unit or lot in the district in which the project is located.
- i. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.
- j. Stairs in certain situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of ten feet from the front property line, if:

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1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current city floodplain standards; and
 2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and the stairway, at its widest point, shall not exceed ten feet.

(Ord. No. 85-37, § 1, 1-6-1986; Ord. No. 89-10, §§ 1—3, 9-11-1989; Ord. No. 89-18, § 1, 11-16-1989; Ord. No. 90-5, § 2, 3-5-1990; Ord. No. 90-6, §§ 1, 2, 3-19-1990; Ord. No. 90-18, § 1, 7-23-1990; Ord. No. 92-15, § 1, 10-5-1992; Ord. No. 92-16, §§ 1, 2, 10-19-1992; Ord. No. 93-5, §§ 1—3, 4-19-1993; Ord. No. 93-8, § 1, 6-7-1993; Ord. No. 94-4, § 1, 4-18-1994; Ord. No. 95-12, § 1, 5-15-1995; Ord. No. 95-4, § 1, 7-24-1995; Ord. No. 95-31, 12-4-1995; Ord. No. 96-10, § 1, 6-3-1996; Ord. No. 96-14, § 3—7, 7-1-1996; Ord. No. 97-5, §§ 1—4, 3-3-1997; Ord. No. 98-1, §§ 1—5, 4-20-1998; Ord. No. 98-14, § 1, 8-17-1998; Ord. No. 98-17, § 1, 9-14-1998; Ord. No. 99-3, §§ 2—7, 1-18-1999; Ord. No. 99-6, §§ 1—7, 13, 1-18-1999; Ord. No. 99-7, § 1, 1-18-1999; Ord. No. 99-11, § 1, 7-26-1999; Ord. No. 99-21, § 2, 10-18-1999; Ord. No. 99-23, §§ 1—3, 10-18-1999; Ord. No. 2000-22, §§ 1, 3, 8-7-2000; Ord. No. 2000-24, § 1, 8-7-2000; Ord. No. 2000-23, §§ 2—4, 8-21-2000; Ord. No. 2000-26, §§ 1, 2, 8-7-2000; Ord. No. 2000-45, §§ 1, 2, 12-18-2000; Ord. No. 2002-1, §§ 1, 2, 1-21-2002; Ord. No. 2004-11, §§ 1—3, 8-2-2004; Ord. No. 2004-12, §§ 1—3, 8-2-2004; Ord. No. 2004-08, §§ 1—4, 8-16-2004; Ord. No. 2004-21, § 1, 12-6-2004; Ord. No. 2005-32, § 1, 10-17-2005; Ord. No. 2005-33, §§ 2, 3, 10-17-2005; Ord. No. 2006-15, § 1, 7-24-2006; Ord. No. 2007-04, § 1, 4-2-2007; Ord. No. 2007-11, § 2, 10-1-2007; Ord. No. 2007-18, § 1, 10-15-2007; Ord. No. 2008-06, § 2, 2-18-2008; Ord. No. 2008-16, §§ 1, 2, 7-21-2008; Ord. No. 2008-28, §§ 1, 2, 11-3-2008; Ord. No. 2008-41, § 1, 11-17-2008; Ord. No. 2009-10, § 1, 6-15-2009; Ord. No. 2009-09, §§ 1, 2, 8-3-2009; Ord. No. 2009-25, § 1, 1-4-2010; Ord. No. 2010-11, §§ 1—11(exh. A), 4-19-2010; Ord. No. 2010-41, § 1, 1-10-2011; Ord. No. 2011-14, § 1, 4-18-2011; Ord. No. 2011-35, §§ 2, 5(exh. A), 6(exh. A), 12-5-2011; Ord. No. 2011-36, § 2(exh. A), 12-5-2011; Ord. No. 2012-31, § 1(exh. A), 12-3-2012; Ord. No. 2013-09, § 2, 5-6-2013; Ord. No. 2013-45, § 4(exh. A), 12-2-2013; Ord. No. 2014-05, § 2(exh. A), 4-7-2014; Ord. No. 2016-10, § 2(exh. A), 4-4-2016; Ord. No. 2017-07, § 2, 3-6-2017; Ord. No. 2018-15, §§ 2(exh. A), 3(exh. B), 7-2-2018; Ord. No. 2018-16, § 2(exh. A), 7-2-2018; Ord. No. 2019-18, § 2, 6-3-2019; Ord. No. 2019-19, § 5, 6-3-2019; Ord. No. 2020-04, § 2, 2-3-2020; Ord. No. 2020-17, § 2(Exh. A), 4-6-2020; Ord. No. 2020-44, § 2, 12-7-2020; Ord. No. 2021-04, §§ 2, 3, 3-1-2021; Ord. No. 2021-05, § 2, 3-1-2021)

Section 7.5. Community overlay district.

1. *General purpose and description.* The community overlay district (COD) is intended to preserve and enhance the physical characteristics of the city along its entryways and in the downtown area by promoting the safety, welfare, convenience, and enjoyment of travel along these roads; providing for unified and orderly development; and promoting and aiding economic growth. The establishment of a COD does not repeal the underlying zoning classification of property to which the COD applies. The requirements of the COD are in addition to the requirements of the underlying zoning district, with the exception of the downtown district. The COD does not apply to the DD. The DD is subject to supplementary regulations and the DD geographic limitations as shown on the official zoning map. The COD includes the following thoroughfares: FM 2351 from Friendswood City Limit to Friendswood City Limit, FM 518 from the Friendswood City Limit to the Friendswood City Limit, FM 528 from Friendswood City Limit to Friendswood City Limit, Friendswood Lakes Boulevard (also known as Brittany Bay) from Friendswood City Limit to Friendswood City Limit, Bay Area Boulevard, from Friendswood City Limit to FM 528.
2. *Boundaries.* The boundary of the COD shall be parallel to the thoroughfare right-of-way to include nonresidential properties within 300 feet from the right-of-way. If any portion of such property is within 300 feet, the entire tract is subject to the COD requirements.
 - a. Exception: The COD boundary shall be limited to a depth of 150 feet abutting FM 2351 from Beamer Road to Clear Creek.
3. *Screening.* The following uses on the site shall be screened to a height sufficient to completely screen the use from view at ground level. For the purposes of this subsection, the term "view from ground level" shall mean the view from public walkways situated in the adjoining rights-of-way or from vehicular traffic in the first two traffic lanes in the bordering streets of the COD.
 - a. All outside storage;
 - b. Industrial activities;
 - c. Off-street loading areas;
 - d. Refuse storage areas, dumpsters, and all related activities; See section 8.L.
 - e. Air conditioning, refrigeration, heating, and other mechanical and electrical equipment;
 - f. Microwave and satellite antennas not otherwise preempted from regulation by applicable law or regulation;
 - g. Detention ponds*; and
 - h. Garage bays fronting on the thoroughfares described in subsection 1 of this section.

An opaque screen composed of berms,** walls, fences, vegetation, or a combination of these materials between the property line and the development shall be used; however, in no case shall any of the above-mentioned activities be closer to the street than the setback line.

*If detention ponds are part of the landscaping plan, screening would not be necessary. Ponds may be located no closer than ten feet from abutting rights-of-way if the pond serves only the subject property.

**Berms used for any type of screening shall be limited to a height of three feet above finished grade at the front property line (not including detention facilities), and shall be landscaped.
4. *Utilities.* All permanent utilities serving the property shall be located underground, at the owner's expense.
5. *Landscaping.* The minimum landscaping requirements for areas within the COD shall be as follows:

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- a. All landscape buffers shall be provided with architectural and/or landscape materials to screen structures, facilities, drive areas, parking areas, etc. Shrubs shall be a minimum height of two feet when planted and shall be placed a maximum of two feet apart. Mature shrubs shall be maintained in a live or living condition to form a continuous hedge with a maximum height of three feet six inches.
 - b. Nothing contained in this subsection 5 shall be deemed to reduce applicable landscaping requirements contained in other sections of this Code, or any ordinance specifically applicable to a development (e.g., specific use permit or planned unit development), but instead to enhance the aesthetics along the city's major thoroughfares by requiring additional or higher percentages of landscaping.
 - c. Parking lots within the COD containing 20 parking spaces or less shall have open landscaped areas that are equal to not less than 15 percent of the parking area and drives in the parking area. The required area may be used as islands or perimeter landscaping or in any combination. A minimum of one Class 1 or Class 2 tree from the qualified tree list shall be planted and maintained for each 250 square feet, or portion thereof landscaped open space area.
 - d. Parking lots within the COD containing greater than 20 parking spaces shall have open landscaped areas equal to 20 percent of the parking area and drives in the parking area. Fifty percent of the required landscaped area must be used as islands. Perimeter landscaping shall have at least one such tree for each 30 (40 lineal feet if not located in the COD) lineal feet or fraction thereof. Each island shall have one such tree planted and maintained thereon.
 - e. If a buffer strip is required (along public rights-of-way, or to separate uses per section 8.I), the buffer shall be a minimum width of 15 feet, and shall contain not less than one tree, whether existing or planted, for each 25 lineal feet or portion thereof. Each such tree shall have a caliper of not less than two inches measured 18 inches above the natural ground level.
 - f. If, at any time, the required vegetation becomes diseased, deteriorated, or dies, the owner of the premises must replace the vegetation within 90 days of written notice from the city.
 - g. The commission may approve an alternate equal or better landscape plan in the COD, after giving due consideration to the intensity of the commercial use, the zoning classification and adjacent land uses.
6. *Architectural elements.* Garage bays or other similar large openings designed for automotive or industrial work, or designed for vehicles to drive into, shall not front a COD thoroughfare unless screened with architectural or landscaping materials as outlined under subsection 3 of this section. This prohibition shall not include drive-throughs such as are typically found at banks or fast-food establishments. In the event that COD requirements overlap at intersections, architectural requirements regarding garage bays shall apply only to the frontage on one street as designated on the site plan.
- a. *Commercial.*
 - (1) Commercial developments are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass on all sides of the building. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000. These exterior facades, as well as the roof, shall be limited to earth tone colors. Color samples shall be submitted and approved as a part of the commercial site plan.
 - (2) The design of walls and other structures located on the same site, including those used to screen outdoor storage areas, dumpsters, vehicles, etc., shall be encouraged to be constructed of the same materials as the main building on the lot. Cyclone fences are prohibited, except under limited circumstances, the commission may approve a vinyl coated cyclone fence.
 - b. *Residential.*

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- (1) Residential developments not facing a COD thoroughfare shall be required to install a visual barrier to a minimum mature height of six feet as measured from the finished grade. The barrier shall be set back from the street right-of-way line by a minimum of ten feet. Various materials may be utilized, including landscaped earth berms, provided the materials are durable and require low maintenance. All barriers shall be maintained by the owner of the property on which such barrier is located, or by a homeowners' association. If a homeowners' association is to provide such maintenance, the obligations therefor shall be set forth in writing, and filed of record in the same manner that other restrictive covenants are filed. Subdivision plats submitted for residential property along a COD corridor shall include detailed information and visual representations of the proposed barrier, and such other information as deemed necessary by the planning and zoning commission to establish compliance with this subsection.
 - (2) Trees shall be planted adjacent to the barrier, on the COD thoroughfare side, at intervals of 25 feet, with one-half having a minimum caliper of four inches and one-half having a minimum caliper of two inches. Existing qualified trees may be counted toward fulfillment of this requirement, provided that the size, species, and guaranteed duration shall meet the criteria of the landscaping section of this appendix. (Clustering of trees shall be permitted, provided, however, clustering shall not reduce the number of required trees, and trees shall not be clustered so as to lessen the survival rate of other trees.)

(Ord. No. 99-37, § 1, 10-18-1999; Ord. No. 2000-25, §§ 2—5, 8-24-2000; Ord. No. 2004-07, § 1, 8-16-2004; Ord. No. 2006-15, §§ 2, 3, 7-24-2006; Ord. No. 2007-18, § 1, 10-15-2007; Ord. No. 2008-38, § 1, 11-3-2008; Ord. No. 2010-37, § 1, 1-10-2011; Ord. No. 2013-10, § 2, 5-6-2013; Ord. No. 2019-06, § 2, 3-4-2019; Ord. No. 2020-04, § 3, 2-3-2020)

Section 8. Supplementary district regulations.

- A. *Visibility at intersections in residential districts.* On a corner lot in any residential district, hedges and vegetation shall not be planted or allowed to grow in such a manner to materially impede vision between a height of 2½ feet and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines on such corner lots and a line joining points along said street lines 25 feet from the point of the intersection.
- B. *Fences and walls.* Except as provided below, fences and walls are permitted in or along the edge of any required yard. However, no fence or wall shall be constructed on any exterior side yard so as to constitute a hazardous visual obstruction to traffic in any direction, and the same must conform to subsection A of this section. Additionally, fences and walls may only be constructed in front yards on lots adjacent to FM 528, FM 2351, and FM 518 north of FM 2351 and south of FM 528 or on lots greater than two acres, provided that no hazardous visual obstruction is created. On residential lots, decorative, transparent fences may be constructed in front yards on lots greater than two acres or that have a minimum lot width of 150 feet at the street. Chain-link and barbed wire fences are prohibited in the front yards in residential districts. Additionally, all fences must be installed with the finished side facing outward. Exception: any size lot may construct a fence when all adjoining lots facing the same right-of-way or private street have existing compliant fences in the front yard.
- C. *Accessory buildings.* Except as specifically permitted by this appendix, no accessory building shall be erected in any required yard, and no separate accessory building shall be erected within five feet of any other buildings.
- D. *Erection of more than one principal structure on a lot.* In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard, street frontage, and other requirements of this appendix shall be met for each structure as though it were on an individual lot.
- E. *Structures to have access.* Every building hereafter erected shall be on a lot adjacent to a public street, an approved private street, or provide written documentation for shared access agreements, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, shared parking and/or off-street parking.
- F. *Off-street parking and loading regulations.* It is the intent of this section to ensure that adequate off-street parking and loading is provided with the construction, alteration, remodeling or change of use of any building or change of use of land. Specific guidelines regarding recommended off-street parking spaces and parking lot geometrics shall comply with the requirements of the current Design Criteria Manual.
1. Approval by the Planning and Zoning Commission shall be required of parking area layouts and design of all off-street parking, including shared parking areas, with the recommendation by the city engineer. The city engineer shall render to the Planning and Zoning Commission his recommendation regarding the usability of the proposed parking spaces, and the adequacy of vehicular circulation patterns.
 2. The owner and the occupier of any property upon which a business is located shall provide loading and unloading areas of sufficient number and facility to accommodate on such business premises all vehicles that will be reasonably expected to simultaneously deliver or receive materials or merchandise, and of sufficient size to accommodate all types of vehicles that will be reasonably expected to engage in such loading or unloading activities.
 3. Any person desiring a building permit for the construction, alteration, or change of use of the land or any business building or structure shall submit a plot plan to the building official designating the number, dimensions and locations of all loading areas and all proposed avenues of ingress and egress to the property from adjacent public thoroughfares. The building official shall not issue such permit if it

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is determined that the proposed loading and unloading facilities will present a direct or indirect hazard to vehicular or pedestrian traffic.

G. *Reserved.*

H. *Reserved.*

I. *Landscaping and screening requirements.*

1. *Purpose.* The provisions of this subsection I for the installation and maintenance of landscaping and screening are intended to protect the character and stability of residential, commercial, institutional and industrial areas, to conserve the value of land and buildings of surrounding properties and neighborhoods, and to enhance the aesthetic and visual image of the community. In furtherance thereof, trees utilized to comply with the requirements of this subsection I shall be of a type contained in the list of qualified trees approved from time to time by the city council and contained in the city's design criteria manual ("Qualified Tree List").

2. *Perimeter landscaping and screening.*

a. Adjacent property, buffer maintenance and installation.

(1) When a commercial (CSC, LNC, NC, OP, DD, PUD, A-1) or industrial (LI, I, BP) use is established on a lot or premises located adjacent to any residential zoning district, or when any multiple-family dwelling use is established on a lot or premises adjacent to any property located in a single-family residential zoning district, or when an industrial use is established on a lot or premises adjacent to any property located in a commercial zoning district, a ten-foot in width landscaped open space buffer strip shall be installed and maintained by the owner, developer or operator of the multiple-family dwelling, commercial or industrial property between it and the adjacent protected property.

(2) In addition, an eight-foot-high opaque fence or wall shall be erected and maintained along the common property line. Graduated fences may be allowed by the commission, when the safety and general welfare of the public would be better protected by such design. The fence or wall shall be constructed of wood, masonry, or decorative concrete, or any combination thereof. Metal may be used only as a concealed structural element. Alternatively, some types of vegetation may be allowed for such screening, provided plantings are evergreen and dense enough to provide an opaque or substantially opaque screen. Any combination of fencing, earthen berms, and vegetation may be used to comply with the eight-foot screening requirement.

(3) The provisions of this subsection may not apply where the uses are separated by a driveway, easement, drainage ditch, canal, or similar features determined to provide adequate buffering to those listed herein which are a minimum width of 30 feet. The commission shall determine the required screening after giving due consideration to the intensity of the commercial use, the zoning classification, and adjacent land uses. When a residentially zoned property is rezoned to commercial, an existing fence may, if requested by the staff, the commission, or the applicant, be removed, in whole or in part, to allow joint or shared access to parking and driving areas. Documentation may be required detailing a joint use agreement between or among property owners.

Conversely, when a single-family use is established on property adjacent to any commercial, industrial, or multiple-family zoning district, an eight-foot high opaque fence or wall shall be erected and maintained along the property line. The ten-foot buffer strip shall not in this instance be required.

(4) The commission may consider alternate screening plans for uses interior to a common development.

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- a-1. Adjacent property, buffering streets. All land zoned commercial or industrial, as that term is defined in this section, shall have a minimum ten-foot landscaped open space adjacent to each public right-of-way located within the required yard.
- b. Trees for buffer strips. If an open space buffer strip is required under the terms of this subsection I, not less than one tree, whether existing or planted, shall be maintained for each 25 lineal feet or portion thereof of solid open space buffer strip.
- b-1. Landscape trees. All required trees for landscaping shall be not less than eight feet in height immediately upon planting and shall have a caliper of not less than two inches measured 18 inches above the natural ground level.
- c. Off-street parking landscaping.
 - (1) All areas, other than those located within the industrial district, that are used for parking or display of vehicles, boats, construction equipment or production equipment, shall conform to the minimum landscaping requirements of this subsection 2.c. Areas that are of a drive-in nature, such as filling stations, grocery stores, banks and restaurants also, shall conform to the minimum landscaping requirements of this subsection 2.c.
 - (2) It is the intent of this subsection 2.c to promote the placement of trees along the thoroughfares of the city. Therefore, at least 50 percent of the required trees shall be located between the street and any buildings. No tree other than those species listed as small trees (size 3) on the qualified tree list may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, sewer line, transmission line or other utility.
 - (3) Parking lots shall be considered small if they contain spaces for 20 or less cars. Small parking lots shall have "open" landscaped areas that are equal to not less than ten percent of the parking area and drives in the parking area. The required area may be used as islands or perimeter landscaping or in any combination. A minimum of one Class 1 or Class 2 tree from the qualified tree list shall be planted and maintained for each 250 square feet or portion thereof of landscaped open space area.

Parking lots with more than 20 parking spaces shall have open landscaped areas equal to ten percent of the parking area and drives in the parking area. Fifty percent of the required landscaped area shall be used as islands. Perimeter landscaping shall have at least one such tree for each 40 lineal feet or fraction thereof. Each island shall have one such tree planted and maintained thereon.
 - (4) All planted islands shall have curbs of sufficient height and width to contain the planted island.
 - (5) Planted islands are to integrate groundcovers and small shrubs while minimizing the use of medium to tall shrubs; and shall not obstruct visibility of pedestrians and vehicles.
 - (6) Off-street parking areas that are adjacent to residentially zoned property shall have opaque fences or walls, eight feet in height above ground level, which shall be erected and maintained along the property line to provide visual screening.
 - (7) All trees required in this subsection 2.c shall have a caliper of not less than two inches, measured 18 inches above the natural ground level.

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- (8) If paving around a tree is required on private property, use porous pavements such as cast-in place, monolithic turf, and concrete combinations over specimen roots to allow water and air exchange.
 - (9) All plants shall receive proper irrigation to encourage deep root growth and survivability.
 - d. Existing plant material.
 - (1) Where healthy planting exists on a site, the building official shall credit the property owner for existing plants that are retained and used when calculating vegetation requirements under this section. When healthy trees exist on a site, and when they are equivalent in size and species to those required by this subsection, the building official shall credit the property owner for existing trees that are retained and used when calculating requirements under this subsection.
 - (2) Existing landscape areas to be retained shall be protected from vehicular encroachment and damage during and after the construction phase by appropriate barriers. Parking or storing of vehicles, equipment, or materials is not allowed within the protective root zone.
 - (3) Protective barricades are to be installed around all protected trees prior to any construction activities on a development site. Barricades are to be installed a minimum of ten-feet from a protected tree or at the designated protective root zone.
 - (4) Protective barricades may be removed only to prepare the development site for final landscaping activities.
 - e. Maintenance and care of trees.
 - (1) Maintenance period for trees. For any tree installed in fulfillment of the requirements of this appendix, or any previously existing tree used in fulfillment of the requirements of this appendix, it shall be the responsibility of the then property owner to maintain such tree in a healthy condition. In the event of serious damage, disease or death of the tree, or if the tree should otherwise fail to survive, the then property owner shall, at his sole cost and expense, replace it with a tree that meets the requirements of this appendix, within 120 days from the date of notification by the city.
 - (2) Pruning of trees. It shall be unlawful as a normal practice for any person, firm or city department to top any tree on public property. Topping is hereby defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from the requirements of this appendix at the determination of the building official.
 - (3) Maintenance of trees over rights-of-way.
 - (a) Any entity pruning trees located in public rights-of-way or in excavating in rights-of-way or in easements shall be required to notify the city building official and to prepare such plans or outline such programs as the official deems necessary. The building official's permission must be secured before such work may begin. A developer shall have the responsibility to verify that such approval has been granted prior to the installation of utilities within easements on the developer's property.
 - (b) Every owner of any tree overhanging an street or right-of-way within the city shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that

there shall be a clear space of eight feet above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the right, with 14 days advance notice to the owner or agent, to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or interferes with the visibility of any traffic control device or sign.

- (c) It is prohibited to cut trees or clear vegetation on public rights-of-way to provide better view of off-premise signs.
 - (4) Removal of hazardous trees. The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property or harbor insects or disease which constitute a potential threat to other trees within the city. The city will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within 60 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal on the owners' property tax notice.
- f. Preserving trees; historical significance.
- (1) Findings. The founders of the city chose to locate the community in its present location because of the inspiring, tranquil beauty of the huge oaks which occupied the creek banks and surrounding terrain. The name given the new town, Friendswood, was chosen because of its apt description of the settlers members of the Friends Church, and the topographical character of the land, and the woods found in abundance along the four creeks. The city council hereby finds and determines that the preservation of the naturally wooded topography is of historical significance to the city.
 - (2) Purpose. It is the intent of this subsection to encourage the preservation of existing trees within the city, and the historical significance thereof, and to prohibit their unwarranted destruction.
 - (3) Tree survey required.
 - (a) A tree survey showing thereon the location of all living trees that have a caliper of 12 inches or greater, measured at a point 4½ feet above the natural ground level, shall be required for:
 - (i) All proposed development on land located in districts zoned as neighborhood commercial (NC), community shopping center (CSC), downtown district (DD), local neighborhood commercial (LNC), office park district (OPD), light industrial (LI), industrial (I), agricultural (A-1), business park (BP), planned unit development—mixed use (PUD-Mixed Use), or multifamily residential, low density (MFR-L), multifamily residential, medium density (MFR-M), and multifamily residential, high density (MFR-H);
 - (ii) All proposed development on land for which a specific use permit is required by sections 7.P and 9.G; and
 - (iii) For residential developments on land located in districts zoned as single-family residential (SFR), planned unit development cluster home (PUC—Cluster Home), or multifamily residential-garden home district (MFR-GHD), provided, however, the tree survey required by this subsection

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shall be required only for the common areas located within those developments, such as community parks, where residents of the developments would have common access.

- (b) If the property contains no trees fitting the description in subsection (a) of this section, no tree survey shall be required if a signed statement verifying that no such trees exist is filed with the community development office of the city (hereinafter "community development").
 - (c) The developer or owner of the property to be developed shall sign the tree survey certifying that it is, to the best of their knowledge, true and correct.
 - (d) The tree survey shall be submitted to community development concurrently with or as a part of the site plan, development permit or plat. Community development shall be authorized to review the data on-site for verification. The tree survey shall be accepted by community development or community development shall provide a notice, in writing, of its reasons for any action other than an acceptance thereof.
- (4) Site plan to include trees.
 - (a) Every site plan submitted shall include all living trees identified on the tree survey as required by subsection I.f(3) of this section. Each such tree identified on the site plan shall bear a notation indicating the tree's status as either "protected" or "to be removed." A tree identified as "protected" indicates a tree that is not scheduled for removal during construction. A tree identified as "to be removed" indicates a tree that is scheduled for removal during construction. Each tree removed during construction shall be mitigated as required in subsection I.f(6) of this section.
 - (b) Trees identified with the notation "protected" shall also be physically marked at the development site so as to be readily distinguishable from trees that are identified on the site plan as "to be removed."
- (5) Review and acceptance of site plan. Community development shall review the tree survey portion of site plans to ensure compliance with the provisions of this subsection.
- (6) Mitigation and incentives.
 - (a) Every development requiring the issuance of a development permit or the approval of a site plan or plat shall maintain a minimum of one tree from the qualified tree list for each 30 linear feet of street frontage, with such trees having a minimum caliper of two inches measured at a point 18 inches above the natural ground level.
 - (b) Class 1 or Class 2 trees, 12 inches in diameter or greater, measured at a point 4½ feet above the natural ground level, shall be counted, on a one-for-one basis, toward the minimum number of trees required by this subsection I. Trees located within a buffer zone shall not be counted unless identified as "protected."
 - (c) Mitigation shall be required, on a one-for-one basis, for every tree with a caliper of 12 inches or greater, measured at a point 4½ feet above the natural ground level, that is removed from the development site. For each such tree removed, mitigation shall be accomplished by planting one Class 1 or Class 2 tree from the qualified tree list.

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- (d) New trees used for mitigation purposes or for landscaping shall have a caliper of at least three inches, measured at a point 18 inches above the natural ground level.
 - (e) The landscaping plan shall clearly indicate which trees are being planted to replace trees identified as "to be removed" during development.
 - (f) If, due to the nature of a proposed development and unique characteristics of land, trees cannot be planted in a sufficient number to meet the requirements hereof, a developer may elect to provide for a compensating tree to be planted elsewhere within the city. Compensating trees shall be placed on public property, as near as reasonably practicable to the development site, and may be accomplished by donating a tree in kind, or by payment to the city of such amounts as may be established from time to time by city council, based on the city's actual costs of acquisition. Compensating trees shall be planted within the time periods required for replacement trees.
 - (g) To encourage maintenance of the suburban wooded character of the community, the city council may from time to time establish incentives to developments which retain more Class 1 or Class 2 category trees than is required by this subsection.
- (7) Tree protection. Property owners shall be required to ensure that each of the trees identified as "protected" on the site plan survives. If a tree identified as "protected" fails to survive, the property owner shall replace such tree, at its sole cost and expense, within 120 days from the date of notification by the city, with a Class 1 or Class 2 tree from the qualified tree list, which has a minimum caliper of three inches, measured 18 inches above natural ground level.
- g. One tree required for each lot developed for single-family residential use. Each lot developed for single-family residential use shall have one of the qualified trees located in the required front yard, before a certificate of occupancy may be issued. An exception may be made by the building official for substantially wooded lots, in instances where the building official determines there is not sufficient space in the front yard for proper growth, or where the planting of the tree would constitute a hazard to persons or property.
 - h. Exception for lots used for single-family residential dwelling purposes. Notwithstanding any other provision of this subsection I to the contrary, nothing contained herein shall be deemed to prohibit the owner or occupant of a single-family residential dwelling from trimming, pruning, or removing any tree located on a lot owned or occupied by such person as a private residence, provided that at least one tree is retained in the front yard, per section 8.I.g.

J. *Performance standards.*

1. *Compliance required.* Except as otherwise provided herein, no land, building or structure in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration; smoke, dust, or other form of air pollution; heat, cold, dampness, electrical or other substance, condition or dangerous element in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises. Permitted uses as set forth in this appendix shall be undertaken and maintained only if they conform to the regulations of the section.
2. *Performance standard regulations.* The following standards shall apply in the various zoning districts as indicated:

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(Supp. No. 3)

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- a. *Exterior noise.* Noise standards shall apply to all property owners within the city and shall be in accordance with chapter 54, Offenses and Miscellaneous Provisions, article IV, Noise, of the Code of Ordinances.
 - b. *Vibration.* No vibration from any use within any zoning district shall be permitted which is perceptible without instruments at any residential property line within any residential zoning district.
 - c. *Lighting and glare.*
 - (i) *Prohibited.* It shall be unlawful for any person to cause or permit to be energized on property under his possession or control any lighting, including, but not limited to, spotlights, floodlights or similar illuminating devices which project a glare or brightness, in excess of the standards described below, directly or indirectly upon any lot, tract, or parcel of land, other than that upon which such lighting is situated, which shall annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others, within the limits of the city.
 - (ii) *Permitted.* All lighting in the city consisting of spotlights, floodlights, or similar illuminating devices shall be installed, hooded, regulated and maintained by the owner or person in control thereof in such a manner that the direct beam of any such light shall be oriented so that it will not glare upon any lot, tract, or parcel of land other than that upon which it is situated and so that it will not cause or permit any illumination from direct or indirect lighting in, on, or over the ground at or beyond the boundary of the lot, parcel, or tract above the following levels:
 - 1. One footcandle where the adjacent development is zoned for nonresidential uses.
 - 2. Twenty-five hundredths (0.25) footcandle where the adjacent development is zoned for residential uses.
 - (iii) *Shielding required.* All exterior light sources visible to pedestrian or vehicular off-premises traffic are required to be shielded, except as provided below, so that the light source is not visible to said pedestrian or vehicular traffic. Lights elevated on standards, for example in parking areas, shall be side-shielded on pedestrian or off-premises vehicular travel sides. Lighting mounted on low standards (such as bollard lights) is the preferred method for illuminating smaller parking areas and walkways.
 - (iv) *Exceptions.*
 - (1) Unshielded lighting facing pedestrian or off-premises vehicular sides of the property shall be permitted, provided the light source is not in excess of 1,700 lumens.
 - (2) Historical-style or architectural lighting visible to pedestrian or vehicular off-premises traffic shall be permitted, provided that the fixture or fixtures does not cause or permit any illumination in, on, or over the ground at or beyond the boundary of the lot, parcel, or tract above the following levels:
 - a. One footcandle where the adjacent development is zoned for nonresidential uses.
 - b. Twenty-five hundredths (0.25) footcandle where the adjacent development is zoned for residential uses.

(3) Common developments. The maximum footcandle allowed at an interior lot line shall not exceed five footcandles. Each phase of development must comply with lighting requirements applicable to exterior lot lines.

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(v) *Compliance required.* This appendix shall apply for all new facilities upon adoption and publication as required by law. All existing facilities with lighting in place on the date of adoption shall comply with the requirements herein within 24 months after the effective date of the ordinance from which this appendix is derived by installing shielding, redirecting lights, or other steps necessary for compliance. The commission may grant a one-time extension of up to an additional 24 months if the property owner or agent can demonstrate hardship, including undue expense related to the time requirement for facilities replacement. Further, existing publicly owned facilities shall be required to comply with the requirements herein at such time as the facilities undergo renovation to the exterior or where overall renovation exceed 50 percent of the costs of construction of the existing facilities. Welding, new construction and repairs of facilities shall be exempt from these regulations, provided, however, that no requirements will be imposed in derogation of federal or state safety and health regulations.

d. *Particulate air contaminants.* No emissions, dust, fumes, vapors, gases, or other forms of air pollution shall be permitted in violation of the rules and regulations of the state air control board and the environmental protection agency.

3. *Exceptions from performance standards.* The owner or operator of any building, structure, operation or use which violates any performance standard may file an application for a variance from the provisions thereof wherein the applicant shall set forth all actions taken to comply with said provisions and the reasons why immediate compliance cannot be achieved. The board of adjustment may grant exceptions with respect to time of compliance, subject to such terms, conditions and requirements as it may deem reasonable to achieve maximum feasible compliance with the provisions of this section. In its determinations, the board of adjustment shall consider the following:

- a. The magnitude of the nuisance caused by the violation.
- b. The uses of property within the area of impingement by the violation.
- c. The time factors related to study, design, financing and construction of remedial work.
- d. The economic factors relating to age and useful life of the equipment.
- e. The general public interest, welfare and safety.

K. *Sign regulations.* The sign regulations are printed in Appendix A to this Code.

L. *Screening for dumpsters and recycling storage containers.*

1. *Dumpsters and recycling collection areas.*

- a. Dumpsters and recycling collection areas shall be located to minimize their visibility from public streets.
- b. Dumpsters and recycling receptacles shall be screened to a height sufficient to screen the refuse from public view.
- c. Dumpsters and recycling collection enclosures shall contain permanent walls on three sides with the service opening not directly abutting a public sidewalk. The fourth side shall incorporate enclosure doors.

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(Supp. No. 3)

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- d. The opening for removal of the dumpster or recycling receptacle for collection is a minimum of 12 feet to allow for proper access when it is serviced. For every dumpster added, an additional ten feet in width is required.

M. *Commercial activities and outdoor sales.*

1. *Commercial activities.*

- (a) *Permanent structure required.* Except as herein provided, every business within the city must be operated out of a permanent, stationary, site-built building.
- (b) *Temporary construction structures.* Temporary buildings and building material storage areas to be used for construction purposes may be permitted for a specific period of time in accordance with a permit issued by the building official for a period not exceeding the period of construction. Upon completion or abandonment of construction, such field offices and buildings shall be removed at the owner's expense. Such uses shall be located on a platted lot, and may not be placed on-site until improvements are accepted by the council, or in the case of developed sites where improvements exist, until a permit is issued.
- (c) *Temporary sales structures.* Temporary buildings for temporary sales offices, and temporary off-street parking areas, may be permitted in conjunction with new home sales. Such uses shall be located on a platted lot, may not be placed on-site until improvements are accepted by the council, or in the case of developed sites where improvements exist, until a permit is issued. Such structures and parking areas shall be removed when the subdivision is sold out. One temporary sales office is permitted per builder in a subdivision.
- (d) *Businesses creating nuisance.* Any business operating within a temporary structure as authorized above that constitutes a public nuisance to the surrounding neighbors or endangers public health, safety or welfare shall be cited for nuisance violations under this Code and shall be required to cease operations as directed by the building official, or other designee.
- (e) *Portable buildings or structures.* Portable buildings or structures, including, but not limited to, cargo boxes or tractor-trailers, are not permitted for use as commercial or business operations, provided, however, that such may be used as accessory structures for storage for a main business. The number and location of such structures are subject to a site plan review and approval by the city community development department. Mobile homes or RVs are not permitted to be used as accessory buildings.
- (f) *Restroom facilities.* Every business within the city must provide permanent restroom facilities on-site available for use by the customers of that particular business. These facilities may be located within the same building as the business, or may be provided in an adjacent business with evidence of a perpetual agreement for such with the owner of the adjacent business. Restroom facilities shall be in compliance with all applicable state, county and city building and health code provisions, including restroom facilities for handicapped individuals, for the size and type of business to be conducted at that location.
- (g) *Exceptions.* In the event of a natural disaster (e.g., flood, hurricane), or other catastrophic loss (e.g., fire), the city council may suspend the application of this appendix for such period of time as may be determined to be necessary for reconstruction of permanent structures.

2. *Outdoor sales.* For the purposes of this section, outdoor sales are defined as the display outside of a permanent structure, for the purpose of purchase by consumers, whether immediately or by placing of orders, of any merchandise, services, products, or goods irrespective of whether payment for such is made outdoors or in a permanent structure. Outdoor sales for commercial or business purposes shall be allowed only under the following conditions and procedures:

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- (a) *Permit required.* No person shall conduct outdoor sales either in the open or under a tent or other temporary cover for commercial or business purposes within the city limits without first obtaining a permit under this section.
 - (b) *Application for permit.* Any person desiring to conduct outdoor sales shall apply to the building office for a permit. The application shall state the name of the person conducting the activity; the proposed location; the name of the owner of the property where the sales are to be located; the nature of the intended activity; and the proposed dates of use; and other pertinent information on the form. Proof of insurance for the activity, in a minimum amount of coverage as determined by city council, or required by law, and a copy of the activity's sales tax certificate shall also be submitted prior to issuance of a permit. A site plan shall also be submitted to city staff containing all information required by the zoning ordinance for administrative review. The city reserves the right to require additional information or verifications, such as health permits, depending upon the type of business and regulatory oversight by other entities.
 - (c) *Fee.* The building department shall charge and collect a fee before issuance of a permit, in an amount set by the city council. If the activity ceases, closes, or is terminated for any reason prior to the expiration of the permit, there shall be no refund of the above fee.
 - (d) *Zoning compliance required.* Outdoor sales will be allowed for commercial or business purposes only at locations which are properly zoned for the nature of commercial or business activity to be conducted at that location. Further, all outdoor sales activities must comply with the setback requirements, parking requirements and other standards in city ordinances.
 - (e) *Number of permits.* There shall not be more than three permits issued to a person or business, or for a location, within a calendar year, nor shall permits be allowed to run consecutively during two, 12-month periods. Permits shall be issued a minimum of 30 days apart.
 - (f) *Hours of operation.* A permit for outdoor sales shall be for a period not to exceed 15 consecutive calendar days. The commercial or business activity shall be allowed to conduct business no earlier than 9:00 a.m., and must close activities no later than 10:00 p.m. or until dark (official sundown), whichever comes first, unless the applicant shows adequate lighting on the site plan or it is an outdoor sales activity related to the primary business activity on the site and adequate lighting is provided on-site. The permittee must remove all items, tents and materials used for the conduct of the outdoor sales from the location not later than 5:00 p.m. of the day after the final date of the permit. However, any such permit issued for an activity commencing on the Friday, Saturday or Sunday immediately preceding Thanksgiving shall be effective from that date until 12:00 midnight, December 25 that year, and all materials shall be removed by 5:00 p.m., December 26.
 - (g) *Compliance with all codes.* All tents or other coverings and materials used for commercial and business purposes must otherwise comply with all applicable fire, safety and other codes in effect during the dates of the permitted activity.
 - (h) *Posting.* A copy of the permit shall be conspicuously posted at or upon the entrance to the outdoor sales activity at all hours during the approved dates of the activity.
 - (i) *Operating without a permit; false information.* Any person or entity conducting outdoor sales for commercial or business purposes without complying with this section, or who gives false, misleading or incomplete information on an application, shall within one day of notice of violation obtain the required permit for a fee in an amount which shall be triple the normal fee, or immediately cease and desist from all activity covered by this article, and remove the outdoor sales activity from the premises before midnight of that day.

(j) *Existing outdoor sales.* Any person conducting outdoor sales as defined above, on the effective date of the ordinance from which this appendix is derived, must either apply for and receive a permit, or cease the use and remove the activity no later than 5:00 p.m. on the seventh calendar day after the effective date of the ordinance from which this section is derived.

(k) *Farmers markets.*

- i. For the purposes of this section, farmers markets are defined as an organized entity/operation, certified by the state department of agriculture, that allows a group of food growers/manufacturers to market and sell their farm produce and products in a specific location. The products would include herbs and spices in their natural or dried state, vegetables, fruits, nuts, berries, grains, honey, watermelons and other melons, and cantaloupes in their natural state as well as farm produce, shelled peas or legumes, yard eggs and packaged foods processed or manufactured by a vendor in a licensed food establishment and packaged and labeled according to law.
- ii. No resale or craft items are allowed to be sold at farmers markets.
- iii. These markets must comply with subsections m.2(a) through (d) and (g) through (i) of this section, as well as the following.
- iv. In addition to the application and supporting documents listed in subsection (b) of this section, the applicant must also provide:
 - 1) Security agreement with peace officers;
 - 2) Traffic control plan;
 - 3) County health district vendor's permit;
 - 4) Janitorial/clean up service agreement and/or plan.
- v. Hours of operation. Farmers markets may be permitted for one weekend a month (Saturday and Sunday only) for up to six months, from 8:00 a.m. to 6:00 p.m. At the close of the market on Sunday, all market items must be removed from the site, including display tables, tents, equipment, etc.

3. *Exemptions.*

- (a) *Charitable or nonprofit events.* The conducting of outdoor sales or commercial activity by a governmental entity, public utility, or tax exempt not-for-profit organization formed for education, philanthropic, scientific or religious purposes, where any proceeds and profits are designed to be contributed to such entity conducting the activity, or where the activity occurs on property owned by a governmental entity. However, such entities and organizations shall comply with all other ordinances and laws applicable to their activity, and no such activities shall be allowed on the public rights-of-way.
- (b) *Outdoor displays of merchandise.* Outdoor displays of merchandise by retail businesses shall be allowed if the display involves items for sale by a commercial retailer located within a permanent structure. Such displays may not cover more than half of the width of the pedestrian walkway between the storefront and the curb, unless other accommodations for pedestrian travel satisfactory to the building official are made. A permit shall be required for the placement of outdoor sales activities or items within any parking lot, and a permit shall not be granted if the proposed area eliminates required parking areas, provided, however, that special events shall be exempt from this latter provision, where emergency access and parking is approved by the building official in advance of the event. For the purposes of this section, "special event" is defined as a temporary outdoor use on private property that extends beyond the normal uses

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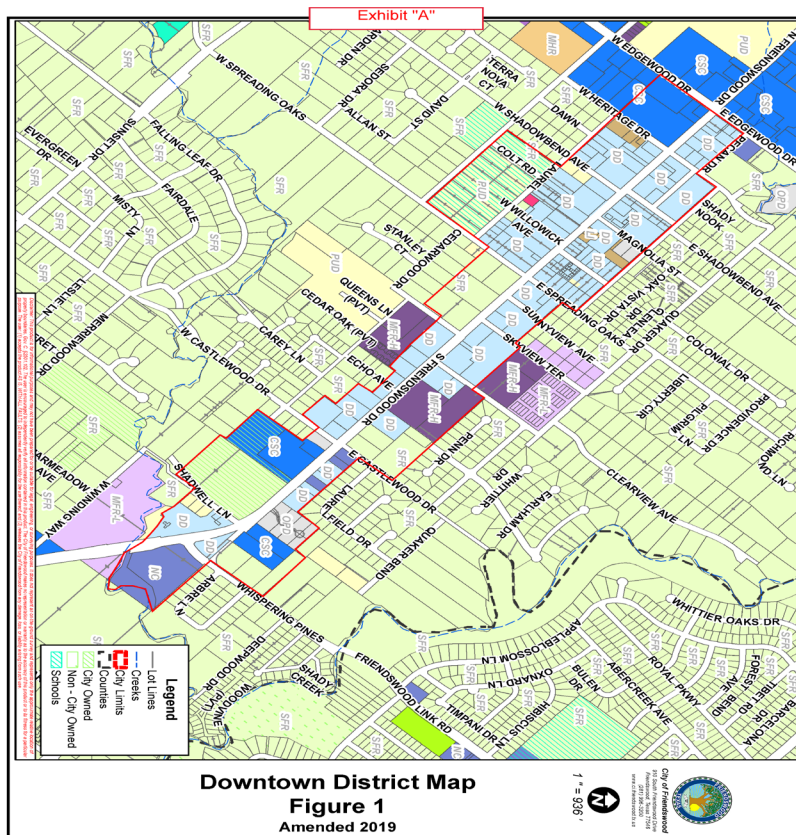
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and standards allowed by the zoning ordinance of the city and which runs not longer than four days. Special event includes, but are not limited to, art shows, sidewalk sales, pumpkin and holiday sales, festivals, craft shows and church bazaars.

- (c) *Suspension in the event of disaster or loss.* In the event of a natural disaster (e.g., flood, hurricane), or other catastrophic loss (e.g., fire), the city council may suspend the application of this appendix for such period of time as may be determined to be necessary for reconstruction of permanent structures.

N. *Downtown District supplemental requirements.* These supplemental requirements shall apply only to new developments within the Downtown District or where a structure in the district has lost its nonconformity. A new development shall be defined as any new project built on a raw or otherwise vacant tract or tracts of land, not associated with an existing structure. A structure shall be deemed to have lost its nonconformity as determined by Zoning Ordinance Section 6.

- 1. *Geographic limits.* The geographic limits of the Downtown District are as shown on the Downtown District map (Figure 1). All properties within these geographic limits may rezone to Downtown District (DD). Those properties outside the geographic limits may not rezone to Downtown District (DD).



2. *General purpose and description.* The downtown district (DD) is intended to create a mixed use environment based on traditional neighborhood and smart growth standards. It is designed for physical flexibility with zero setbacks and allows for the redevelopment of small, existing tracts. The encouragement of a pedestrian friendly environment is established by allowing shared parking and on-street parking, as well as sidewalks and street furnishing.

3. *Parking.* To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Parking spaces and parking lot geometrics shall comply with the requirements of the current Design Criteria Manual.

4. *Architectural standards.*
5. *Screening.*
6. *Sidewalks.*
7. *Parkways and landscaping.*

a. The 15-foot parkway required along FM 2351 and FM 518, which runs parallel and adjacent to each street's back of curb, includes a seven-foot landscape area. This area shall be reserved for amenities, such as street furniture, lighting and landscaping, and may include grass, brick pavers or other decorative material as approved by the Planning and Zoning Commission.

8. *Adjacent property, buffer maintenance and installation.*

9. *Utilities.* All permanent utilities serving the property shall be located underground, at the owner's expense.

(Ord. No. 86-10, § 1, 8-18-1986; Ord. No. 96-6, § 1, 5-20-1996; Ord. No. 97-14, §§ 1—11, 11-3-1997; Ord. No. 98-1, §§ 6, 7, 4-20-1998; Ord. No. 98-14, § 4, 8-17-1998; Ord. No. 99-6, §§ 8—12, 1-18-1999; Ord. No. 99-1, § 1, 1-18-1999; Ord. No. 2000-24, §§ 2—4, 8-7-2000; Ord. No. 2000-21, § 1, 9-11-2000; Ord. No. 2000-33, § 1, 10-16-2000; Ord. No. 2001-22, § 3, 10-15-2001; Ord. No. 2001-23, § 1, 11-19-2001; Ord. No. 2004-11, § 4, 8-2-2004; Ord. No. 2004-12, § 4, 8-2-2004; Ord. No. 2005-09, § 1, 2-21-2005; Ord. No. 2005-19, §§ 1—10, 9-12-2005; Ord. No. 2006-11, § 1, 6-26-2006; Ord. No. 2006-16, § 1, 7-24-2006; Ord. No. 2006-17, § 1, 8-7-2006; Ord. No. 2006-23, § 1, 10-16-2006; Ord. No. 2007-18, § 1, 10-15-2007; Ord. No. 2008-06, §§ 4, 5, 2-18-2008; Ord. No. 2008-08, § 1, 4-21-2008; ; Ord. No. 2008-08, § 1, 5-19-2008; Ord. No. 2008-12, § 1, 6-2-2008; Ord. No. 2008-29, § 2, 11-3-2008; Ord. No. 2009-10, § 2, 6-15-2009; Ord. No. 2009-19, § 1, 9-14-2009; Ord. No. 2010-39, § 1, 1-10-2011; Ord. No. 2010-42, § 1, 1-10-2011; Ord. No. 2011-12, § 1, 4-18-2011; Ord. No. 2011-35, § 3, 12-5-2011; Ord. No. 2012-32, § 2, 12-3-2012; Ord. No. 2013-11, § 2, 5-6-2013; Ord. No. 2013-36, § 2, 11-4-2013; Ord. No. 2014-19, § 2, 8-4-2014; Ord. No. 2015-07, § 2, 3-2-2015; Ord. No. 2017-23, § 2, 9-11-2017; Ord. No. 2019-05, §§ 2, 3, 3-4-2019; Ord. No. 2019-16, § 2, 6-3-2019; Ord. No. 2019-17, §§ 2, 3, 6-3-2019; Ord. No. 2019-18, § 3, 6-3-2019; Ord. No. 2019-19, §§ 2—4, 6-3-2019; Ord. No. 2020-04, § 4, 2-3-2020)

Section 20. Definitions.

- (a) The following words, terms and phrases, when used in this appendix, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory use or structure means a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Adult entertainment business shall have the same meaning as "sexually oriented business," as that term is defined in V.T.C.A., Local Government Code ch. 243, and chapter 62 of the Code of Ordinances, and shall include, but not be limited to, an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult tanning salon, adult theater, escort agency, nude modeling studio, sexual encounter center, or any other commercial enterprise, the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer. Such uses shall be allowed only as specifically authorized under the terms of this appendix and chapter 62 of the Code of Ordinances. The determination of what constitutes an adult entertainment business shall be made by the police chief or his/her designee, in accordance with the definitions contained in chapter 62 of the Code of Ordinances, and such determination shall be appealable to the zoning board of adjustment.

Apartment house means any building or portion thereof used as a multiple dwelling for the purpose of providing three or more separate dwelling units which may share means of egress and other essential facilities.

Automobile graveyard means an establishment or place of business that is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

Building means any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels or property of any kind. The term "building" includes the term "structure."

Building area means the surface of the lot covered or occupied by all structures placed thereon, excluding only driveways, walkways and uncovered patios.

Building line means a line parallel or approximately parallel to the street line and beyond which buildings may not be erected.

Childcare center means a childcare facility that is licensed to care for seven or more children for less than 24 hours per day, at a location other than the permit holder's home (pursuant to Texas Administrative Code, Title 40, Part 19, Chapter 746). Compliance with all applicable state regulations is required. A childcare center shall also obtain a certificate of zoning compliance pursuant to section 9.D ("Administration and enforcement—Building permits and certificates of zoning compliance").

1. *Registered childcare home.* In a registered childcare home, the registered primary caregiver provides care in the caregiver's own residence for not more than six children from birth through 13 years, and may provide care after-school hours for not more than six additional elementary school children. The total number of children in care at any given time, including the children related to the caregiver, must not exceed 12 (pursuant to Tex. Admin. Code, Title 40, Part 19, Chapter 747). Compliance with all applicable state regulations is required. A registered childcare home shall also obtain a certificate of zoning compliance pursuant to section 9.D.
2. *Licensed childcare home.* The total number of children in care varies with the ages of the children, but the total number of children in care in a licensed childcare home at any given time, including the children related to the caregiver, must not exceed 12 (pursuant to Tex. Admin. Code, Title 40, Part 19, Chapter 747). Compliance with all applicable state regulations is required. A licensed childcare home shall also obtain a certificate of zoning compliance pursuant to section 9.D.

Cluster housing development means a residential development containing attached or detached units on a limited portion of land with the remaining land areas consolidated into common open space areas.

Common development means two or more business establishments developed under a common plan which may utilize shared driveways and onsite parking facilities, including, but not limited to, shopping centers, office complexes, business parks, and industrial parks.

Comprehensive plan means graphic and textual form policies which govern the future development of the city and which consist of various components governing specific geographic areas and functions and services of the city.

Density means living units per acre in a platted subdivision. The term "density" pertains to total platted acreage, including streets.

Dwelling, garden home, means a dwelling unit which is structurally attached to another dwelling unit but which does not share a common wall.

Dwelling, multiple-family, means any building, or portion thereof, which is designed, built, rented, leased or intended to be occupied as three or more dwelling units or apartments and which includes facilities for food preparation and sleeping.

Dwelling, single-family, means a detached building having accommodations for and occupied by not more than one family.

Dwelling, two-family, means a detached building having accommodations for and occupied by not more than two families. In calculating minimum lot area, a two-family dwelling shall be considered to be two dwelling units.

Dwelling unit means a building or portion of a building which is arranged, occupied, or intended to be occupied as living quarters for one family.

Family means a single individual or a number of individuals domiciled together, whose relationship is of a continuing, nontransient, domestic character and who are cooking and living together as a single, nonprofit housekeeping unit. This shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose relationship is of a transitory or seasonal nature or for anticipated limited duration of school terms or other similar determinable period.

Fence means any structure enclosing, demarcating or surrounding an area of ground to mark a boundary, control access, or prevent escape, in part or in whole.

Graduated fence means a fence required by city ordinance, the height of which may be reduced for some portion of its required length, either in a stair-step configuration or by gradually reducing such height in a straight or radial line. The length and height of the fence so reduced will be determined on the basis of a combination of factors, including, but not limited to, security, public welfare, and pedestrian and traffic safety.

Green space means natural undeveloped areas, such as prairies, farmland, barren land, forests, wetlands and lakes. The term "green space" may also include landscaped perimeters and green landscape reserves along thoroughfares.

Height.

- a. The height of a building shall be measured to:
 - (1) The top of ridge of the highest roof of a sloped roof (i.e., gable);
 - (2) The top of the highest deck of a mansard roof; or
 - (3) The top of the highest parapet wall of a flat roof.
- b. For buildings not located in the floodplain, height is measured from the top of the finished first floor of the building which can be no more than two feet above the finished grade at the site. Finished grade

shall mean the highest grade elevation within five feet of the foundation or wall of the building, said grade having been established by means of an approved grading and/or drainage plan. Finished grade may also be the existing grade elevation when no terrain alteration is proposed, or where otherwise applicable. Any fill which is not required to achieve positive site drainage or slope stabilization, or which is otherwise proposed to raise the finished first floor elevation for any other purpose, shall not be considered to be finished grade for the purpose of measuring building height.

- c. For buildings located in the floodplain, height is measured from the top of the first finished floor which shall be two feet above the average base flood elevation at the site, as established by the latest available flood elevation maps for the city.

Home occupation means an occupation or profession engaged in by the occupants of a dwelling, the conduct of which does not result in the dwelling being identified as a business by the external and objective evidence of a business, such as signs, displays, deliveries, continuous or repetitive traffic (rather than occasional or sporadic traffic) generated by the home occupation, or by regular gatherings of clients or customers for business purposes. Home occupations are a permitted use in accordance with this section, provided that:

1. The occupation or profession conducted within a residential dwelling unit must be clearly incidental and subordinate to the use of the premises as a residential dwelling unit.
2. The home occupation shall be conducted entirely within the dwelling unit or accessory structure.
3. Only members of the family residing on the premises are employed.
4. No internal or external alterations, special construction, or features are involved.
5. There is no advertising of any type on the premises and no other display or storage of materials or exterior identification of the home occupation or variation from the residential character of the main building or any accessory building; however, advertising of the home occupation by published or printed matter is allowed.
6. No equipment is used which creates offensive noises, vibrations, sound, smoke or dust, odors, heat, glare, X-ray or electrical disturbances to radio or television.
7. Vehicles used in conjunction with the home occupation must park completely in the driveway of the resident without blocking the sidewalk.
8. The home occupation must not change the character of the residential area.
9. A childcare center as defined in this section is not recognized as a home occupation.
10. A personal care facility as defined in this section is not recognized as a home occupation.
11. The use of off-site personal services at a residence by the occupant, such as lawn care, maid services, etc., does not constitute a home occupation and is not limited by this appendix.

Junkyard means an establishment or place of business maintained, used, or operated for storing, keeping, buying or selling junk, for processing scrap metal, or for maintaining or operating an automobile graveyard. The term "junkyard" includes garbage dumps and sanitary fills.

Lot includes the term "plot" or "parcel."

Lot measurements.

1. *Depth.* The distance between the midpoint of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. *Width.* The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that width between side lot lines at their foremost point (where they intersect with the street lines) shall not be less than 90

percent of the required lot width except in the case of lots on the turning circle of culs-de-sac where the 90 percent requirement shall not apply.

Office park means one or more commercial buildings with multiple businesses providing services but not delivering products directly to customers and consisting of two or more tenants using common driveways.

Open space means a restricted reserve located within a development with limited low-impact amenities, including, but not limited to, green space, both natural and landscaped, detention areas, trails, lakes, pavilions, benches, outdoor cooking facilities, and active recreational facilities, such as ball and soccer fields, playgrounds, and the like. Amenities may be passive or active.

Parking space, off-street, means a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk, or alley, and so that any automobile may be parked and unparked without moving another. For purposes of rough computation, an off-street parking space and necessary access for maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the city.

Personal care facility means any establishment that furnishes food and shelter to four or more persons who are unrelated to the proprietor of the establishment and provides personal care services as that term is defined in V.T.C.A., Health and Safety Code § 247.002, and as further provided for in V.T.C.A., Human Resources Code § 123.004.

Planned unit development means a district with development characterized by a unified site development plan which may provide for a mixture or combination of residential, recreation and open space and commercial uses.

Servant's or caretaker's quarters means an accessory building located on the same lot as the main building, or a portion of the main building, used as living quarters by persons acting as caretakers of the property or by employed servants and not rented or otherwise used as a separate domicile and not used except as an accessory use to the primary use of the property.

Shopping center means a group of commercial establishments which is planned, developed, owned and managed as a unit related in its location, size and type of shops to the trade area that the unit serves.

Specific use means a use that would not be appropriate generally or without restrictions throughout the zoning district but would, if controlled as to number, area, location or relation to the neighborhood, promote the property held, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in a zoning district as special exceptions, if specific provision for such special exceptions is made in this appendix.

Street means a public or private thoroughfare which affords a principal means of access to abutting property.

Street line means the right-of-way line of a street.

Structural alterations means any change in the supporting member of a structure, such as bearing walls, columns, beams or girders.

Structure means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

Townhouse means a row of three or more attached, one-family dwellings, separated by vertical party or lot line walls, and each having private entrances.

Variance means a relaxation of the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, so that the spirit of the ordinance is observed and substantial justice is done.

Yard means an open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward except for fences and walls.

Yard, front, means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot as specified in each zoning district.

Yard, rear, means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel thereto on the lot as specified in each zoning district. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimensions. On both corner and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, side, means a yard between a building and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the building.

- (b) The present tense includes the future tense; the singular number includes the plural; and the plural number includes the singular.
- (c) The term "shall" is mandatory; the term "may" is permissive.
- (d) The terms "used" and "occupied" include the words "intended, designed or arranged to be used or occupied."
- (e) The term "person" includes an individual, firm, association, organization, partnership, trust, company or corporation.

(Ord. No. 89-9, § 1, 9-11-1989; Ord. No. 89-29, § 1, 1-22-1990; Ord. No. 90-5, § 1, 3-5-1990; Ord. No. 95-36, § 1, 1-8-1996; Ord. No. 96-6, § 2, 5-20-1996; Ord. No. 98-14, §§ 2, 3, 8-17-1998; Ord. No. 98-17, § 2, 9-14-1998; Ord. No. 2001-23, § 2, 11-19-2001; Ord. No. 2005-36, § 1, 11-21-2005; Ord. No. 2008-06, § 3, 2-18-2008; Ord. No. 2009-05, § 1, 6-15-2009; Ord. No. 2013-45, §§ 2, 3, 12-2-2013; Ord. No. 2015-04, § 2, 2-2-2015; Ord. No. 2017-23, § 3, 9-11-2017; Ord. No. 2020-16, § 5, 4-6-2020; Ord. No. 2020-44, § 3, 12-7-2020)



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Conduct a public hearing to receive comments, both oral and written, regarding proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.

Action: Choose an Option

SUMMARY / ORIGINATING CAUSE

The purpose of amending the tree preservation ordinance is to encourage the developers and property owners to preserve existing trees. The current mitigation regulations require an owner to replace any protected tree that is 12 inches or greater in diameter measured 4.5 feet above natural grade with a minimum 3-inch tree (tree for tree). The proposed regulations would require an owner to replace trees inch for inch and increases the mitigation tree sizes from 3-inch to 4,5 or 6 inch depending on the tree being removed. Percentages of mitigation required depends on the size of the original tree and the location of the new trees. Additionally, the proposed amendments provide incentives for removing invasive species (Class 4) such as Chinaberry and Chinese Tallow trees.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Amending the tree mitigation requirements is intended to preserve more of the existing trees in Friendswood.

RECOMMENDATIONS

The Ordinance Subcommittee recommends the proposed amendments.

ATTACHMENTS

1. Legal Newspaper Ad
2. REDLINE Section_8.I.f. Preserving Trees

CLASSIFIEDS 281-485-7501

LEGALS

Published July 21 & 28, 2021

NOTICE OF REQUEST FOR PROPOSALS

Friendswood Independent School District will accept proposals, for the #21-011 Supply of Electricity, until 3:00 P.M., August 16, 2021 (the "Due Date"). Proposals must be delivered before the Due Date to Friendswood Independent School District, 302 Laurel Drive, Friendswood, TX 77546 as further specified in the proposal (RFP) documents. This request for proposals is for electrical power and also related electrical power demand response and ancillary services as specified and detailed in the proposal documents, which may be obtained from AEG Affiliated Energy Group, Retail Division, fax (214) 292-8514, or email FriendswoodISD@affiliatedenergy.com. Interested parties must request proposal documents at least 24 hours prior to the Due Date. Friendswood ISD reserves the right to accept or reject any or all proposals, waive all informalities or irregularities and award the proposal in the best interest of Friendswood ISD. The proposal process will be conducted in accordance with the proposal procedures as set forth in the Texas Education Code 44.031.

LEGALS

Published July 14 & 21, 2021

CITY OF PEARLAND, TEXAS NOTICE TO BIDDERS

Sealed bids will be received by the City of Pearland Purchasing Division, 3519 Liberty Dr., until **11:00 a.m., CST, Thursday, July 29, 2021** and all bids will be publicly acknowledged by name via virtual meeting. Interested parties may join the meeting by calling into the meeting at: Dial in #: 281-652-1955; Meeting #: 1790#; Access Code #: 0971# on that date for:

TREE MAINTENANCE SERVICES BID NO. 0721-50

Bid forms, specifications and all necessary information may be obtained from the following website: <https://pearland.ionwave.net>. Vendors are encouraged to return the bid response electronically using the City's e-bid system but may submit by hard-copy to City Secretary, with either manner due by the closing date and time stated above.

The City reserves the right to reject any or all bids, or to accept any bid or combination of bids deemed advantageous to it.

Vendors should register on the City's e-bid system at <https://pearland.ionwave.net> (if not already registered). Once registered on the City's e-bid system, bid documents may be viewed on the site. If further assistance is needed, please email ebids@pearlandtx.gov no later than 9:00 a.m. Thursday, July 22, 2021. Make reference to **Bid Number 0721-50**. Bid Closing Date: **July 29, 2021**.

Crystal Roan
City Secretary, City of Pearland

First Publication: July 14, 2021
Second Publication: July 21, 2021

LEGALS

Published July 14 & 21, 2021

NOTICE TO BIDDERS CITY OF PEARLAND, TEXAS

Sealed Bids will be accepted until 2:00 p.m. Thursday, August 5, 2021 and read aloud into the public record for the following project:

Oakbrook & Oakbrook Estates Water Quality City of Pearland, Texas COP PN: WA1906 & WA2003 BID NO.: 0721-52

The project area is located North of Dixie Farm Rd in the Oakbrook and Oakbrook Estates subdivisions. Project address is 2753 Biscayne Bay Dr, Pearland, TX 77584. Streets included in Phase 1 are: Oak Lane Circle, Oak Cluster Circle, Oak Gate Circle, Oakbrook Circle, Oak Fork Circle, Oak Tree Circle, Oak Shire Drive, Castle Oaks Drive, Barretts Glen Drive, and Oak Lodge Drive. Streets included in Phase 2 are: Oak Bent Drive, Branch Hill Drive, Oak Lodge Drive, Scarlet Oak Drive, Oak Top Drive, East Baden Oaks Drive, Dixie Hill Court, Oak Point Court, Bracket Drive, Oak Leaf Circle, Oak Land Circle, Oak Point Drive, Pin Oak Drive N, Oak Place Court, Oak Trace Court, Oak Chase Court, Oak Bark Court, Majestic Oaks Court, and Winding Forest Drive.

The project will entail the addition of approximately 4,500 linear feet of new 6-inch diameter water line construction, and associated valves, connections, appurtenances, hydrostatic testing, and disinfection. The proposed water lines are to be installed by primarily trenchless construction.

A mandatory pre-bid conference will be held at City Hall at 3519 Liberty Dr, Pearland, Texas 77581 at 10:00 a.m. on Thursday, July 22, 2021.

All bids should be submitted through the E-Bid system located on the City's website at: <https://pearland.ionwave.net/Login.aspx>. All interested Bidders are advised to register as a "supplier" on the City's E-Bid System at the above website by clicking on "Supplier Registration" and completing a short registration questionnaire. Electronic Bid Documents, including Plans, Technical Specifications and Bid Forms are available for download after registration is approved by City Purchasing office. No plan fees or deposits are required for bid documents obtained through the City's E-bid System. Questions regarding electronic bidding should be directed to City Purchasing Office at ebids@pearlandtx.gov.

Bid Documents are also available for review at the following plan houses:
Amtek Plan Room (713) 956-0100
The Associated General Contractors of America, Inc. (713) 334-7100
Associated Builders & Contractors of Greater Houston (713) 523-6222
Dodge Reports (713) 316-9411

Bid Security, in the form of Cashier's Check, Certified Check, or Bid Bond, payable to the City of Pearland in the amount of 5% of the total base bid price, must accompany each Bid proposal. See Instructions to Bidders for Bond submittal information and instructions.

The City of Pearland reserves the right to reject any or all bids.

Crystal Roan,
City Secretary, City of Pearland

First Publication date July 14, 2021
Second Publication date July 21, 2021

LEGALS

Published July 21 & 28, 2021

NOTICE TO BIDDERS FRIENDSWOOD I.S.D. RFP #21-010

FISD REQUEST FOR PROPOSAL #21-010 PROMOTIONAL ITEMS & APPAREL

The Friendswood Independent School District will be accepting Sealed Proposals (Texas Education Code 44.031) for PROMOTIONAL ITEMS & APPAREL. Sealed proposals can be submitted online or to FISD's Administration Building at 302 Laurel Drive, Friendswood, Texas 77546. Proposals must be received on or before 2:00 p.m., August 25, 2021. Bid packets are available on FISD's website www.myfisd.com/information-for-vendors or through the Public Purchase website www.publicpurchase.com. Please contact cbtain@fisdk12.net with any questions. The Friendswood Independent School District reserves the right to postpone, to accept or to reject any and all proposals as it deems to be in its best interest and to waive formalities and reasonable irregularities.

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change to Amend Avalon at Friendswood Planned Unit Development (PUD) 2019-37 to Incorporate 26.921 Acres of Annexed Property (no zoning district assigned)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for 183.386 acres of land located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.224 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.**

The Planning and Zoning Commission will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The City Council will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

The City of Friendswood is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. For assistance, please contact the City's ADA Coordinator Brian Rouane at 281-996-3285 via phone, 281-482-1634 via fax or contact 281-996-3285 via Relay Texas at 711 or 1-800-735-2988 for TYY services. For more information concerning Relay Texas, please visit <http://relay-texas.com>.

Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Accommodate the Development of Industrial (I) Zoned Properties in the Panhandle Area

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2. Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.

The **Planning and Zoning Commission** will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The **City Council** will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

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Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Increase Mitigation Requirements to Promote Preservation of Existing Trees

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.

The **Planning and Zoning Commission** will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The **City Council** will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

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Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

NOTICE OF PUBLIC HEARINGS OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS

Notice is hereby given that the City Council of the City of Pearland, in Brazoria, Harris and Fort Bend Counties, Texas, the City Council of the City of Pearland will hold a hearing and Ordinance adoption consideration on Monday, **July 26, 2021**, at 6:30 p.m., at City Hall, 3519 Liberty Dr., Pearland, Texas 77581, by **telephone/video conference and in-person** with social distancing protocols and restrictions in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19), for the following cases:

1. Thoroughfare Plan Amendments: A request by the City of Pearland, applicant, for approval of proposed amendments to the Thoroughfare Plan of the City's Comprehensive Plan, in accordance with Texas Local Government Code Sections 211.004 and 213.003, to promote health, safety, general welfare, and provide for adequate facilities for transportation.

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. For additional information, please contact the Planning Department at 281-652-1765.

Martin Griggs, AICP, CNU-A
Planning Manager

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change Request to Change Approximately 3.65 Acres of Land from Community Shopping Center (CSC) to Industrial (I)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for approximately 3.65 acres out of 18.0137 acres located along FM 2351 (address not yet assigned), the 18.0137 acres more fully described in 4 tracts: 16.592 acres out of and part of Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, .0918 acres out of and part of Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, and .1119 acres of land out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas; and 1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, Film Code 688395, City of Friendswood, Harris County, Texas to change from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).**

The **Planning and Zoning Commission** will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

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Leticia Brysch, City Secretary

For more news visit myreporternews.com

RICKY TULLOS

OILER FOOTBALL CAMP

2nd - 9th Grade Football Camp 2021

Home of the 2010 5A Div. I State Champions

July 26-28 (M-W) at The Rig

8:00 a.m. - 11:00 a.m.

Instructors: Pearland Oilers Football Staff

COST: \$75.00 PRE-REGISTER ~ \$85 FOR WALKUPS

WEAR: SHORTS, T-SHIRT & RUNNING SHOES

BRING: A POSITIVE ATTITUDE, CLEATS, WATER BOTTLE, SUNSCREEN & MEDICATIONS

SKILLS: FOOTBALL SKILLS, WEIGHT ROOM TECHNIQUES, NUTRITION, AND LEADERSHIP DEVELOPMENT

Fo more information contact RICKY TULLOS, CAMP DIRECTOR

281.997.3281 or tullostr@pearlandisd.org



ACC player selected in MLB Draft

Alvin Community College pitcher Owen Holt was recently selected in the Major League Baseball draft by the Cincinnati Reds.

Holt, of Houston, was taken in the 16th round of the draft and was the 480th overall pick.

"Owen came in with a mid-90 MPH fastball and good secondary stuff," ACC Baseball Coach Jason Schreiber said. "His personality and leadership was the attributes that impressed me the most. There is no doubt Owen will thrive in professional baseball."

Owen pitched for ACC this past season not long after he signed on to play for Harvard University.

"He came to us for the Spring semester," Schreiber said. "He wanted to play baseball and the Ivy League was not having their season due to COVID. Immediately Owen embraced the juko life and he fit in right away."

Owen was 7-3 in the Spring season for ACC with 65 strikeouts and a 10.26 K/9 ratio.

This summer Holt has been pitching for the Williamsport Crosscutters in the MLB Draft League.



Page 59 of 278

Photo courtesy of Williamsport Crosscutters

Section 8. - Supplementary district regulations.

I. Landscaping and screening requirements.

2. Perimeter landscaping and screening.

f. Preserving trees; historical significance.

(1) Findings. The founders of the city chose to locate the community in its present location because of the inspiring, tranquil beauty of the huge oaks which occupied the creek banks and surrounding terrain. The name given the new town, Friendswood, was chosen because of its apt description of the settlers members of the Friends Church, and the topographical character of the land, and the woods found in abundance along the four creeks. Over the years, the huge oaks have intertwined to create dense tree canopies throughout the city. The city council hereby finds and determines that the preservation of the naturally wooded topography is of historical significance to the city.

Commented [BB1]: Emphasis on existing trees and the purpose they serve.

(2) Purpose. It is the intent of this subsection to encourage the preservation of existing trees within the city, and the historical significance thereof, and to prohibit their unwarranted destruction.

(3) Tree survey required.

(a) A tree survey showing thereon the location of all living trees that have a caliper of 12 inches or greater, measured at a point 4½ feet above the natural ground level; shall be required for:

Commented [BB2]: Details added under (b) below.

(i) All proposed development on land located in districts zoned as neighborhood commercial (NC), community shopping center (CSC), downtown district (DD), local neighborhood commercial (LNC), office park district (OPD), light industrial (LI), industrial (I), agricultural (A-1), business park (BP), planned unit development—mixed use (PUD-Mixed Use), or multifamily residential, low density (MFR-L), multifamily residential, medium density (MFR-M), and multifamily residential, high density (MFR-H);

(ii) All proposed development on land for which a specific use permit is required by sections 7.P and 9.G; and

(iii) For residential developments on land located in districts zoned as single-family residential (SFR), planned unit development—~~cluster home~~ (PUC—~~Cluster Home~~), or multifamily residential-garden home district (MFR-GHD), provided, however, the tree survey required by this subsection shall be required only for the common areas located within those developments, such as community parks, where residents of the developments would have common access.

Commented [BB3]: Remove outdated term.

(b) The tree survey certified by a licensed surveyor, a certified arborist, or registered landscape architect, that:

Commented [BB4]: Provide detailed requirements for tree survey.

(i) Identifies:

1. The protected trees sought to be subjected to tree removal at the site, according to location, type and size;

2. Location and total caliper inches of invasive species to be removed, if seeking credit for elimination of invasive species;

3. Areas of construction or other activities to be performed within the critical root zone of a protected tree, including site plans documenting measures to be taken for protection of each impacted critical root zone;

Commented [BB5]: Offer credit for removal of invasive species (class 4 trees).

(ii) Includes tables summarizing the total caliper inches of protected trees to be removed in size categories as follows:

1. 12-inch to 24-inch caliper;
 2. Greater than 24-inch to 36-inch caliper; and
 3. Greater than 36-inch caliper.
- (iii) States the total number of caliper inches to be replaced, calculated using the tree replacement calculation set forth below, and how replacement will be achieved, whether by on-site replacement or off-site replacement, or payment in lieu of replacement; and
- (iv) Includes the proposed plan for tree replacement by location, type and size, if applicable;
- (bc) If the property contains no trees fitting the description in subsection (ba) of this section, no tree survey shall be required if a signed statement verifying that no such trees exist is filed with the community development office of the city (hereinafter "community development").
- (ed) The developer or owner of the property to be developed shall sign the tree survey certifying that it is, to the best of their knowledge, true and correct.
- (de) The tree survey shall be submitted to community development concurrently with or as a part of the site plan, development permit or plat. Community development shall be authorized to review the data on-site for verification. The tree survey shall be accepted by community development or community development shall provide a notice, in writing, of its reasons for any action other than an acceptance thereof.
- (4) Site plan to include trees.
- (a) Every site plan submitted shall include all living trees identified on the tree survey as required by subsection I.f(3) of this section. Each such tree identified on the site plan shall bear a notation indicating the tree's status as either "protected" or "to be removed." A tree identified as "protected" indicates a tree that is not scheduled for removal during construction. A tree identified as "to be removed" indicates a tree that is scheduled for removal during construction. Each tree removed during construction shall be mitigated as required in subsection I.f(6) of this section.
- (b) "Protected" Class 1 or Class 2 trees, 12 inches in diameter or greater, measured at a point 4½ feet above the natural ground level, shall be counted, on a one-for-one basis, toward the minimum number of trees required by this subsection I.
- (c) Trees identified with the notation "protected" shall also be physically marked at the development site so as to be readily distinguishable from trees that are identified on the site plan as "to be removed."
- (d) The commission may consider alternate landscape plans to promote the protection of existing Class 1 or Class 2 trees.
- (5) Review and acceptance of site plan. Community development shall review the tree survey portion of site plans to ensure compliance with the provisions of this subsection.
- (6) Mitigation and incentives.
- (a) ~~Every development requiring the issuance of a development permit or the approval of a site plan or plat shall maintain a minimum of one tree from the qualified tree list for each 30 linear feet of street frontage, with such trees having a minimum caliper of two inches measured at a point 18 inches above the natural ground level.~~
- (b) ~~Class 1 or Class 2 trees, 12 inches in diameter or greater, measured at a point 4½ feet above the natural ground level, shall be counted, on a one-for-one basis,~~

toward the minimum number of trees required by this subsection I. Trees located within a buffer zone shall not be counted unless identified as "protected."

(a)(c) Mitigation shall be required, ~~on a one-for-one basis, for every tree~~ Class 1 and Class 2 trees with a caliper of 12 inches or greater, measured at a point 4½ feet above the natural ground level, that is removed from the development site. For each such tree removed, mitigation shall be accomplished by planting ~~one~~ Class 1 or Class 2 trees from the qualified tree list located in the city design criteria manual.

Commented [BB10]: Only require mitigation for class 1 and class 2 trees.

(bd) New trees used for mitigation purposes or for landscaping shall ~~have a caliper of at least three inches~~ be calculated in accordance with table XX, measured at a point 18 inches above the natural ground level.

Table XX. Caliper Inch Replacement of a Protected Tree

	<u>On Site Replacement</u>	<u>Off Site Replacement</u>	<u>Minimum Caliper Per Tree in Inches</u>
<u>12" – 24"</u>	<u>100 percent</u>	<u>120 percent</u>	<u>4-inch</u>
<u>24.1" – 36"</u>	<u>100 percent</u>	<u>130 percent</u>	<u>6-inch</u>
<u>Greater than 36"</u>	<u>130 percent</u>	<u>140 percent</u>	<u>8-inch</u>

(ce) The landscaping plan shall clearly indicate which trees are being planted to replace trees identified as "to be removed" during development.

(d) ~~Invasive tree species harm the native tree canopy, therefore incentives are available for elimination of species shown to be invasive on the qualified tree list. The city shall have the discretion to reduce tree replacement requirements based on the removal of invasive trees on-site. Reduction of caliper inch replacement, if granted, shall be calculated in accordance with table XY.~~

Commented [BB11]: Give credit for the removal of invasive (class 4) trees.

Table XY. Reduction of Caliper Inch Replacement for Removal of Invasive Trees

<u>Caliper Inches of Invasive Trees Removed</u>	<u>Percent Reduction in Total Caliper Inches</u>
<u>50" to 150"</u>	<u>5 percent</u>
<u>150.1" to 300"</u>	<u>10 percent</u>
<u>300.1" to 500"</u>	<u>15 percent</u>
<u>Greater than 500"</u>	<u>20 percent</u>

(ef) If, due to the nature of a proposed development and unique characteristics of land, trees cannot be planted in a sufficient number to meet the requirements hereof, a developer may elect to provide for a compensating tree to be planted elsewhere within the city. ~~Compensating-Off site replacement~~ trees shall be placed within the city limits on public property, private commercial property, educational, or institutional property ~~as near as reasonably practicable to the development site, approved by the city planner~~ and may be accomplished by donating a tree in

Commented [BB12]: Allow trees to be planted offsite on other commercial properties.

kind, or by payment ~~to the city of such amounts as may be established from time to time by city council, based on the city's actual costs of acquisition in lieu at a rate of \$250.00 per caliper inch of required replacement tree(s).~~ Compensating-Off site replacement trees shall be planted by the applicant within the time periods required for replacement trees.

- (f) To encourage maintenance of the suburban wooded character of the community, the city council may from time to time establish incentives to developments which retain more Class 1 or Class 2 category trees than is required by this subsection.
- (7) Tree protection. Property owners shall be required to ensure that each of the replacement trees and trees identified as "protected" on the site plan survives. If a replacement tree or a tree identified as "protected" fails to survive a minimum of five years from the issuance of a certificate of occupancy at least, the property owner shall replace such tree, at its sole cost and expense, within 120 days from the date of notification by the city, with a Class 1 or Class 2 the same tree type from the qualified tree list, which has a minimum caliper of three inches, measured 18 inches above natural ground level, as prescribed in section I.2.f.(6)(b) of this appendix.
- g. One tree required for each lot developed for single-family residential use. Each lot developed for single-family residential use shall have one of the qualified trees located in the required front yard, before a certificate of occupancy may be issued. An exception may be made by the building official for substantially wooded lots, in instances where the building official determines there is not sufficient space in the front yard for proper growth, or where the planting of the tree would constitute a hazard to persons or property.
- h. Exception for lots used for single-family residential dwelling purposes. Notwithstanding any other provision of this subsection I to the contrary, nothing contained herein shall be deemed to prohibit the owner or occupant of a single-family residential dwelling from trimming, pruning, or removing any tree located on a lot owned or occupied by such person as a private residence, provided that at least one tree is retained in the front yard, per section 8.1.g.

Formatted: list2



City of Friendswood – Community Development

910 S. Friendswood Drive

Friendswood, TX 77546

Phone: 281-996-3201 Fax: 281-996-3260

www.ci.friendswood.tx.us

Zone Change Application

CURRENT ZONE OF PROPERTY: CSC

TYPE OF ZONE CHANGE (check one):

☒ Land Use Change to Zone: I

☐ Specific Use Permit Option 1

☐ Planned Unit Development Option 1

☐ Specific Use Permit Option 2

☐ Planned Unit Development Option 2

SUP for Use(s) #: _____

PROPERTY IDENTIFICATION:

Address: See attached Exhibit A for all tracts

Platted Land – Plat Name: _____ Lot: _____ Block: _____

Unplatted Land – Attach a certified metes and bounds description

OWNER NAME: Coastal Bend Property Development, LP Phone: 281-648-1268

Owner's Mailing Address: 4558 FM 2351

City: Friendswood State: TX Zip: 77546 Fax: 281-648-0832

Owner's Email Address: drucker@cbpd.net

AGENT'S NAME : Stephanie Canady Phone: 281-648-1268

Agent's Mailing Address: 4558 FM 2351

City: Friendswood State: TX Zip: 77546 Fax: 281-648-1268

Agent's Email Address: scanady@cbpd.net

In authorizing an agent to represent the owner, the owner attests that his/her agent may make verbal or written representations and/or declarations on the owner's behalf and the owner understands and acknowledges that the City of Friendswood shall rely upon the agent's representations in matters pertaining to the above described property. The designation of an agent in this matter in no way absolves the owner of any of the owner's responsibilities outlined by the City of Friendswood. The owner must be the legal owner of record of the property at the time of submittal of the application.

The undersigned hereby request approval by the City Council on the above identified zone change.

Owner's Signature: [Signature] Date: 6-15-21

Agent's Signature: [Signature] Date: 6-15-21

Received By: Brooke Bennett
Date of Public Hearing: 8-12-21
Property Owner Notices: 7-30-21

Application Number: PLAN-2021-0031
Received Date: 6-21-2021
Newspaper Notice: 7-19-21
Sign on Property: 7-30-21

Submittal Requirements for Zone Change Applications

ALL APPLICATIONS - PUD and SUP Options 1 and 2, Land Use Changes

☐ Application Fee of \$300 (PUD \$500)

(Changes in/to Downtown District may be eligible for fee waiver)

☐ Current Deed of Record

☐ Most recent plat OR Certified Metes and Bounds Description (including name, address and telephone number of surveyor)

PUD Option 1

This option allows all plans, including the site plan, to be approved as a part of the zone change request and is a one-time submittal. See Zoning Ordinance Section 7.J. for more specific plan requirements.

5 – 24" x 36" sets of collated plans including a cover sheet, overall site plan, landscape plan, building elevations, and photometric plan

2 – 24" x 36" sets of collated plans including Engineered drainage, utility, grading and storm water plans (per the City of Friendswood Design Criteria Manual)

2 – 24" x 36" sets architectural plans including mechanical, electrical and plumbing plans

PUD Option 2

This option will require the applicant to apply for site plan approval from the Planning and Zoning Commission at a later date if the zone change to PUD is approved. At the time of site plan approval all information contained in the conceptual plan shall be certified by an engineer and/or surveyor.

5 – 24" x 36" sets of collated plans including a cover sheet or letter describing the project, an overall site plan and building elevations

See Zoning Ordinance Section 7.J. for more specific plan requirements.

Specific Use Permit Option 1

This option allows all plans, including the site plan, to be approved as a part of the SUP request and is a one-time submittal. See Zoning Ordinance Section 9.G.3. for more specific plan requirements.

5 – 24" x 36" sets of collated plans including a cover page, site plan, landscape plan, photometric plan, building elevations, tree survey and mitigation plan

2 – 24" x 36" sets of collated plans including Engineered drainage, utility, grading and storm water plans (per the City of Friendswood Design Criteria Manual)

2 – 24" x 36" sets architectural plans including mechanical, electrical and plumbing plans

Specific Use Permit Option 2

This option allows utility and drainage plans be submitted with the building permit application at a later date if the SUP is approved.

5 – 24" x 36" sets of collated plans including a cover sheet, site plan, landscape plan, photometric plan, building elevations, tree survey and mitigation plan

See Zoning Ordinance Section 9.G.3. for more specific plan requirements.

**INVOICE (00014362)
FOR CITY OF FRIENDSWOOD**

BILLING CONTACT

COASTAL BEND PROPERTY
4558 Fm 2351
Friendswood, Tx 77546



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00014362	06/21/2021	06/21/2021	Due	CSC frontage to I - Industry Park I & II

REFERENCE NUMBER	FEE NAME	TOTAL
PLAN-2021-0031	Zoning Change Request	\$300.00
SUB TOTAL		\$300.00

REMITTANCE INFORMATION
City of Friendswood 910 S Friendswood Dr Friendswood, TX 77546 (281) 996-3201

TOTAL \$300.00

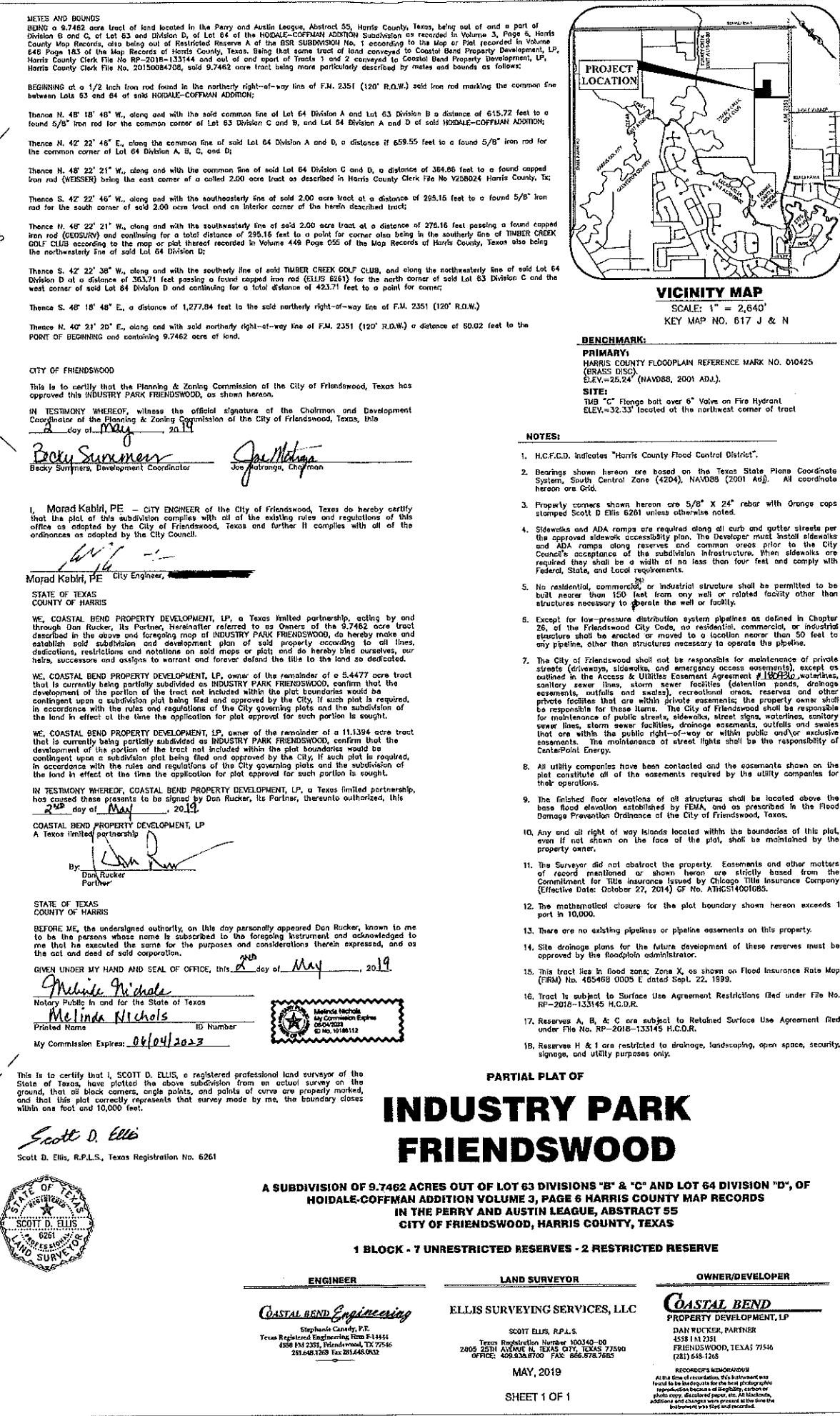
City of Friendswood
P.O. Box 1286
Friendswood, TX 77546
(281) 996-3232

DATE : 6/21/2021 10:00 AM
OPER : JAS04
TKBY : JAS04 *
TERM : 101
REC# : R00476803

EG EnerGov 300.00
00014362 300.00
- CAINVOICEFEE 300.0000

Paid By: COASTAL BEND PROPERTY
EG Check 300.00 REF: 12786

APPLIED 300.00
TENDERED 300.00
CHANGE 0.00



Electronically Recorded
REC #: 2015 0084 708
COUNTY: Harris
DATE: 3-3-2015

WARRANTY DEED WITH VENDOR'S LIEN

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: February 11, 2015

Grantor: BSR, L.L.C., a Texas limited liability company, acting herein by and through its duly authorized Managing Members, MARYLYN REED and JASON ALEXANDER

Grantor's Mailing Address (including county):

307 East Edgewood
Friendswood, Galveston County, Texas 77546-3822

Grantee: COASTAL BEND PROPERTY DEVELOPMENT, LP, a Texas limited partnership

Grantee's Mailing Address (including county):

4558 FM 2351 Road
Friendswood, Harris County, Texas 77546-2820

Consideration:

For Ten and No/100 Dollars (\$10.00) and a Note of even date that is in the principal amount of FOUR HUNDRED SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$475,000.00), and is executed by Grantee, payable to the order of Grantor. It is secured by a vendor's lien retained in this Deed and by a Deed of Trust of even date from Grantee to Keith A. Mullins, Trustee.

Property (including any improvements):

TRACT 1:

A tract of land containing 16.592 acres, more or less, out of a 19.4825 acre tract, being Tracts B and C, of Lot Sixty-Three (63) of the COFFMAN AND HOIDALE SUBDIVISION, a subdivision in Harris County, Texas, out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

ATCH 1404368

FILED BY
ALAMO TITLE COMPANY

SAVE AND EXCEPT that certain tract of land, known as Restricted Reserve "A", of Final Plat of BSR SUBDIVISION NUMBER ONE (1) - 5.450 ACRES, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded at Film Code Number 646183, of the Map Records of Harris County, Texas.

TRACT 2:

Restricted Reserve "A", of Final Plat of BSR SUBDIVISION NUMBER ONE (1) - 5.450 ACRES, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded at Film Code Number 646183, of the Map Records of Harris County, Texas.

TRACT 3:

A tract of land containing 0.0918 acres, more or less, out of a 19.4825 acre tract, being Tracts B and C, of Lot Sixty-Three (63), of the COFFMAN AND HOIDALE SUBDIVISION, a subdivision in Harris County, Texas, out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights of record; all presently recorded instruments, other than liens and conveyances, that affect the Property. Taxes for the current year have been prorated and are assumed by Grantee.

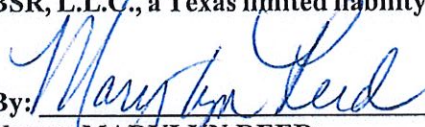
Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's legal representatives, successors, or assigns forever. Grantor binds Grantor and Grantor's legal representatives, successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's legal representatives, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

The vendor's lien against and superior title to the Property are retained until the Note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.

GRANTEE ACCEPTS THE PROPERTY "AS IS", IN THE PRESENT CONDITION OF THE PROPERTY WITH ANY AND ALL DEFECTS AND WITHOUT ANY WARRANTY, EXPRESS OR IMPLIED, EXCEPT FOR THE GENERAL WARRANTY OF TITLE CONTAINED HEREIN AND EXCEPT FOR ANY REPRESENTATIONS AND/OR WARRANTIES CONTAINED IN THE CONTRACT BY AND BETWEEN GRANTOR AND GRANTEE WHICH SURVIVE THE CLOSING OF THIS TRANSACTION.

BSR, L.L.C., a Texas limited liability company

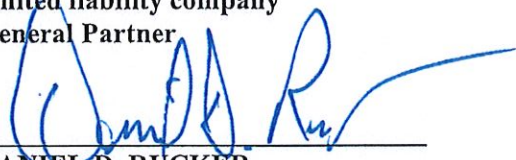
By: 
Name: MARYLYN REED
Title: Managing Member

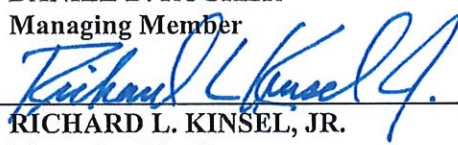
By: 
Name: JASON ALEXANDER
Title: Managing Member

AGREED TO AND ACCEPTED BY:

COASTAL BEND PROPERTY
DEVELOPMENT, LP, a Texas limited partnership

By: CBPD MANAGEMENT, LLC, a Texas
limited liability company
General Partner

By: 
Name: DANIEL D. RUCKER
Title: Managing Member

By: 
Name: RICHARD L. KINSEL, JR.
Title: Managing Member

THE STATE OF TEXAS {}

COUNTY OF HARRIS {}

This instrument was acknowledged before me on the 13th day of February, 2015, by MARYLYN REED, Managing Member of BSR, L.L.C., a Texas limited liability company, on behalf of said company.



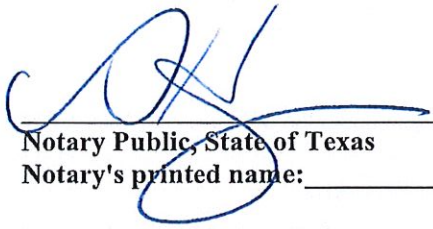

Notary Public, State of Texas
Notary's printed name: _____
Notary's commission expires: _____

THE STATE OF TEXAS {}

COUNTY OF HARRIS {}

This instrument was acknowledged before me on the 13th day of February, 2015, by JASON ALEXANDER, Managing Member of BSR, L.L.C., a Texas limited liability company, on behalf of said company.

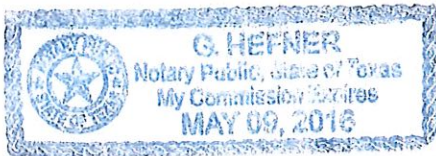


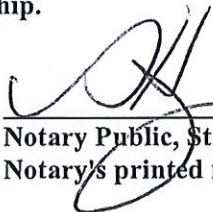

Notary Public, State of Texas
Notary's printed name: _____
Notary's commission expires: _____

THE STATE OF TEXAS {}

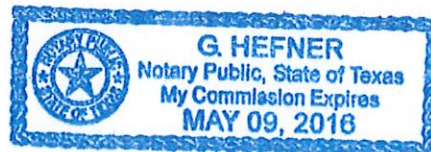
COUNTY OF HARRIS {}

This instrument was acknowledged before me on the 11th day of February, 2015, by DANIEL D. RUCKER, Managing Member of CBPD MANAGEMENT, LLC, a Texas limited liability company, General Partner of COASTAL BEND PROPERTY DEVELOPMENT, LP, a Texas limited partnership, on behalf of said company and partnership.





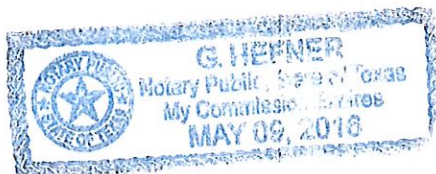
Notary Public, State of Texas
Notary's printed name: _____
Notary's commission expires: _____

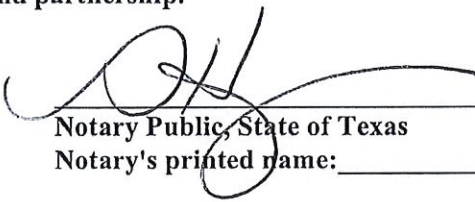


THE STATE OF TEXAS {}

COUNTY OF HARRIS {}

This instrument was acknowledged before me on the 11th day of February, 2015, by RICHARD L. KINSEL, JR., Managing Member of CBPD MANAGEMENT, LLC, a Texas limited liability company, General Partner of COASTAL BEND PROPERTY DEVELOPMENT, LP, a Texas limited partnership, on behalf of said company and partnership.





Notary Public, State of Texas
Notary's printed name: _____
Notary's commission expires: _____



EXHIBIT "A"

TRACT 1:

A tract of land containing **16.592** acres, more or less, out of a 19.4825 acre tract, being Tracts B and C, of Lot 63 of the **Coffman and Hoidale Subdivision** of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, Harris County Map Records, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod found in the northerly right-of-way line of F.M. 2351 (120' R.O.W.) said iron rod marking the common line between Lots 63 and 64, said point being the most southeasterly corner of Lot 63 and the most southwesterly corner of Lot 64;

Thence S. 43° 39' 30" W., along said northerly line, a distance of 100.01 feet to a 1/2 inch iron rod set for corner;

Thence N. 45° 00' 38" W., a distance of 260.46 feet to a 1/2 inch iron rod set for corner;

Thence S. 43° 54' 59" W., a distance of 195.00 feet to a 1/2 inch iron rod set for corner;

Thence S. 45° 00' 38" E., a distance of 51.82 feet to a 1/2 inch iron rod set for corner;

Thence S. 44° 59' 22" W., a distance of 125.00 feet to a 1/2 inch iron rod set for corner;

Thence S. 45° 00' 38" E., a distance of 5.00 feet to a 5/8 inch iron rod found for corner;

Thence S. 44° 59' 22" W., a distance of 200.00 feet to a 1/2 inch iron rod found for corner;

Thence S. 45° 00' 38" E., a distance of 20.00 feet to a 1/2 inch iron rod set for corner;

Thence S. 44° 59' 22" W., a distance of 40.00 feet to a 1/2 inch iron rod set for the South corner of the herein described tract in the line common to Tracts A and B;

Thence N. 45° 00' 38" W., along said line, a distance of 1105.98 feet to a 1/2 inch iron rod found marking the most westerly corner of the herein described tract, said point being the common northwesterly corner of Tracts C and D;

Thence N. 45° 40' 00" E., a distance of 660.00 feet to a railroad spike found marking the most northerly corner of the herein described tract, said point being the common northeasterly corner of Tracts C and D;

Thence S. 45° 00' 38" E., along the line common to Tracts C and D, a distance of 1275.84 feet to the **Point of Beginning**, and containing 16.592 acres of land, more or less.

SAVE & EXCEPT that certain tract of land, known as Restricted Reserve "A", of **Final Plat of BSR SUBDIVISION NO. 1 - 5.450 ACRES**, a subdivision in Harris County, Texas, according to the map of plat thereof recorded at Film Code No. 646183 of the Map Records of Harris County, Texas.

EXHIBIT "A"
(continued)

TRACT 2:

Restricted Reserve "A", of **Final Plat of BSR SUBDIVISION NO. 1 - 5.450 ACRES**, a subdivision in Harris County, Texas, according to the map or plat thereof recorded at FilmCode No. 646183 of the Map Records of Harris County, Texas.

TRACT 3:

A tract of land containing **0.0918** acres, more or less, out of a 19.4825 acre tract, being Tracts B and C, of Lot 63 of the **Coffman and Hoidale Subdivision** of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, Harris County Map Records, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod set for the most southerly corner of the herein described tract at a point located N. 44° 59' 22" E., a distance of 40.00 feet from the South corner of Tract 1 as described above;

Thence N. 44° 59' 22" E., a distance of 200.00 feet to a 1/2 inch iron rod set marking the most easterly corner of the herein described tract;

Thence N. 45° 00' 38" W., a distance of 20.00 feet to a 5/8 inch iron rod found marking the most northerly corner of the herein described tract;

Thence S. 44° 59' 22" W., a distance of 200.00 feet to a 1/2 inch iron rod found marking the most westerly corner of the herein described tract;

Thence S. 45° 00' 38" E., a distance of 20.00 feet to the **Point of Beginning**, and containing 0.0918 acre of land, more or less.

Return To: Coastal Bend Property Dev.
4558 Fm 2351
Friendswood TX 77546

20150084708
Pages 8
03/03/2015 09:57:11 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 40.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or
use of the described real property because of color or
race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Stan Stanart
COUNTY CLERK
HARRIS COUNTY, TEXAS

SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENTS THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORDED IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: June 24, 2020

Grantor: COASTAL BEND LAND INVESTMENTS, LP, a Texas limited partnership

Grantor's Mailing Address (including county):

4558 FM 2351 Road
Friendswood, Harris County, Texas 77546

Grantee: Coastal Bend Property Development, LP, a Texas limited partnership

Grantee's Mailing Address (including county):

4558 FM 2351 Road
Friendswood, Harris County, Texas 77546-2820

Consideration: For Ten and No/100 Dollars and other valuable consideration

Property (including any improvements):

BEING a 0.119 acre tract of land located in the Perry and Austin League, Abstract 55, Harris County, Texas, being out of and a part of Division B, of Lot 63 of the HOIDALE-COFFMAN ADDITION Subdivision as recorded in Volume 3, Page 6, Harris County Map Records, 0.1119 acre tract being out of and a part of 19.4825 acre tract filed under Harris County Clerk File No. RP-2019-182701, said 0.1119 acre tract being more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservation from and exceptions to Conveyance and Warranty:

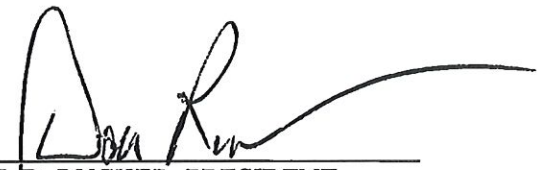
Any and all restrictions, easements, mineral reservations, and other matters of record, to the extent they are validly existing and applicable to the Property.

Taxes for the current year are assumed by Grantee.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's legal representatives, successors and assigns forever, Grantor binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the property to Grantee and Grantee's legal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through, or under Grantor, but not otherwise, except to the reservations from the exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

Grantor has executed and delivered this Special Warranty Deed and has granted, bargained, sold and conveyed the Property and Grantee has received and accepted this Special Warranty Deed and has purchased the Property, AS IS, WHERE IS, AND WITH ALL FAULTS, AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, WRITTEN OR ORAL, EXCEPT SOLELY THE WARRANTY SO TITLE EXPRESSLY SET FORTH HEREIN.

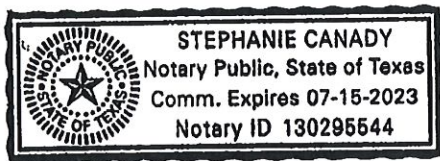


DANIEL D. RUCKER, PRESIDENT
COASTAL BEND LAND INVESTMENTS, LP
A TEXAS LIMITED PARTNERSHIP

The State of Texas §

County of HARRIS §

This instrument was acknowledged before me on the 24th day of June, 2020, by Daniel D. Rucker, President, of COASTAL BEND LAND INVESTMENTS, LP, A TEXAS LIMITED PARTNERSHIP.





Notary Public, State of Texas
Notary's Printed Name: Stephanie Canady

Notary's commission expires: 7-15-23

EXHIBIT "A"

BEING a 0.119 acres tract of land located in the Perry and Austin League, Abstract 55, Harris County, Texas, being out of and a part of Division B, of Lot 63 of the HOIDALE-COFFMAN ADDITION Subdivision as recorded in Volume 3, Page 6, Harris County Map Records, 0.1119 acre tract being out of and a part of 19.4825 acre tract filed under Harris County Clerk File No. 005-71-1739, said 0.119 acre tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for the northerly corner of EAGLE SUBDIVISION according to the map or plat thereof recorded in Volume 390 Page 134 of the Map Records of Harris County, Texas:

THENCE North 48° 18' 48" West, a distance of 25.00 feet to a capped iron found for the northerly corner of the herein described tract;

THENCE South 40° 36' 49" West, a distance of 195.00 feet to a capped iron found for the westerly corner of the herein described tract;

THENCE South 48° 18' 48" East, a distance of 25.00 feet to a 5/8" iron rod found for the westerly corner of said EAGLE Subdivision;

THENCE North 40° 36' 49" East, along and with the westerly line of said EAGLE Subdivision a distance of 195.00 feet to the **POINT OF BEGINNING**.

RP-2020-289010

Pages 4

07/01/2020 03:58 PM

e-Filed & e-Recorded in the

Official Public Records of

HARRIS COUNTY

CHRIS HOLLINS

COUNTY CLERK

Fees \$26.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

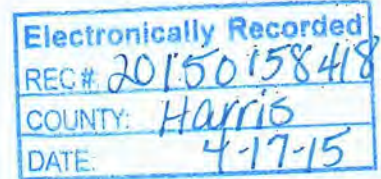
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



COUNTY CLERK
HARRIS COUNTY, TEXAS

Original Deed before Partial Plat of
Industry Park Friendswood



SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: April 8, 2015

Grantor: FREEMAN HOLDINGS OF TEXAS, L.L.C., a Texas limited liability company, acting herein by and through its duly authorized Sole Member, FRANCIS B. FREEMAN, JR.

Grantor's Mailing Address (including county):

16221 Foster Street
Overland Park, Johnson County, Kansas 66085-8418

Grantee: COASTAL BEND PROPERTY DEVELOPMENT, LP, a Texas limited partnership

Grantee's Mailing Address (including county):

4558 FM 2351 Road
Friendswood, Harris County, Texas 77546-2820

Consideration: For Ten and No/100 Dollars and other valuable consideration.

Property (including any improvements):

A 9.5455 acre tract of land being out of and a part of Division A, Lot Sixty-Three (63) of HOIDALE AND COFFMAN SUBDIVISION, of the Perry and Austin League, Abstract 55, in Friendswood, Harris County, Texas, according to the map or plat of same recorded in Volume 3, Page 6 of the Map Records of Harris County, and being that same 9.5455 acre tract of land conveyed to Freeman Holdings, L.L.C., as described in Deeds recorded under County Clerk's File Nos. W176134, 20070519344, 20070519345, 20080057856, 20080057863 and 20090356404, all of the Real Property Records of Harris County, Texas, said 9.5455 acre tract of land being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

ATCH 14046665
FILED BY
ALAMO TITLE COMPANY

Reservations from and exceptions to Conveyance and Warranty:

1. **Restrictive Covenants filed for record under Harris County Clerk's File Numbers 20070519344 and 20150141378.**
2. **Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:**

Purpose: roadway easement
Recording No.: Volume 3, Page 6 of the Map Records of Harris County, Texas
Affects: Forty feet (40') in width along the Southwesterly Property line

as shown on Survey dated June 3, 2008, revised on May 13, 2014, prepared by James H. Thomas, R.P.L.S. No. 5736, Job No. 15256.
3. **Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded/filed in Volume 1070, Page 65 of the Deed Records of Harris County, Texas.**
4. **Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded/filed in Volume 1067, Page 78 of the Deed Records of Harris County, Texas.**
5. **Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded/filed under Harris County Clerk's File Number T937266.**
6. **Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded/filed under Harris County Clerk's File Number U059011.**
7. **Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded/filed under Harris County Clerk's File Number U281794.**
8. **Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded/filed under Harris County Clerk's File Number(s) 20070519344 and 20070519345.**
9. **Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded/filed under Harris County Clerk's File Number(s) 20080057856 and 20080057863.**
10. **Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated August 2, 1934, recorded in Volume 245, Page 388 of the Contract Records of Harris County, Texas. Said Lease assigned to Humble Oil & Refining Company by instrument recorded in Volume 251, Page 124 of the Contract Records of Harris County, Texas.**

11. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated September 8, 1934, recorded in Volume 248, Page 449 of the Contract Records of Harris County, Texas. Said Lease pooled by Agreement recorded in Volume 285, Page 459 of the Contract Records of Harris County, Texas.

Unit Agreement as set out in instrument filed under Harris County Clerk's File Number D963691.

12. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated September 19, 2012, recorded at Harris County Clerk's File Number 20120564557.
13. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by Survey:

Job No.: 15256
Dated: June 3, 2008
Prepared by: James H. Thomas, R.P.L.S. No. 5736
Matters shown: proposed future one hundred twenty foot (120') right-of-way for Blackhawk Boulevard along the North-Westerly Property line.

Taxes for the current year have been prorated and are assumed by Grantee.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's legal representatives, successors and assigns forever, Grantor binds Grantor and Grantor's legal representatives, successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's legal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through, or under Grantor, but not otherwise, except to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

Grantor has executed and delivered this Special Warranty Deed and has granted, bargained, sold and conveyed the Property, and Grantee has received and accepted this Special Warranty Deed and has purchased the Property, AS IS, WHERE IS, AND WITH ALL FAULTS, AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER EXCEPT FOR THE SPECIAL WARRANTY OF TITLE AS HEREIN PROVIDED, EXPRESS OR IMPLIED, WRITTEN OR ORAL. IT BEING THE INTENTION OF GRANTOR AND GRANTEE TO EXPRESSLY REVOKE, RELEASE, NEGATE, AND EXCLUDE ALL REPRESENTATIONS AND WARRANTIES EXCEPT FOR THE SPECIAL WARRANTY OF TITLE AS HEREIN PROVIDED, INCLUDING, BUT NOT LIMITED TO, ANY AND ALL EXPRESS OR IMPLIED REPRESENTATIONS AND WARRANTIES AS TO (i) THE CONDITION OF THE PROPERTY OR ANY ASPECT THEREOF, INCLUDING, WITHOUT LIMITATION, ANY AND ALL EXPRESS OR IMPLIED REPRESENTATIONS AND WARRANTIES RELATED TO SUITABILITY FOR HABITATION, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR USE OR PURPOSE; (ii) THE

NATURE OR QUALITY OF CONSTRUCTION, STRUCTURAL DESIGN, OR ENGINEERING OF THE IMPROVEMENTS; (iii) THE QUALITY OF THE LABOR OR MATERIALS INCLUDED IN THE IMPROVEMENTS; (iv) THE SOIL CONDITIONS, DRAINAGE, TOPOGRAPHICAL FEATURES, OR OTHER CONDITIONS OF THE PROPERTY OR WHICH AFFECT THE PROPERTY; (v) ANY FEATURES OR CONDITIONS AT OR WHICH AFFECT THE PROPERTY WITH RESPECT TO ANY PARTICULAR PURPOSE, USE, DEVELOPMENTAL POTENTIAL, CASH FLOW, OR OTHERWISE; (vi) ALL EXPRESS OR IMPLIED REPRESENTATIONS OR WARRANTIES CREATED BY ANY AFFIRMATION OF FACT OR PROMISE OR BY ANY DESCRIPTION OF THE PROPERTY; (vii) ANY ENVIRONMENTAL, GEOLOGICAL, METEOROLOGICAL, STRUCTURAL, OR OTHER CONDITION OR HAZARD OR THE ABSENCE THEREOF HERETOFORE, NOW, OR HEREAFTER AFFECTING IN ANY MANNER ANY OF THE PROPERTY; and (viii) ALL OTHER EXPRESS OR IMPLIED WARRANTIES AND REPRESENTATIONS BY GRANTOR WHATSOEVER, EXCEPT SOLELY THE SPECIAL WARRANTY OF TITLE EXPRESSLY SET FORTH HEREIN.

FREEMAN HOLDINGS OF TEXAS, L.L.C.,
a Texas limited liability company

By: *Francis B. Freeman, Jr.* *Sole Member*
Name: FRANCIS B. FREEMAN, JR.
Title: Sole Member

AGREED TO AND ACCEPTED BY:

COASTAL BEND PROPERTY DEVELOPMENT, LP,
a Texas limited partnership

By: CBPD MANAGEMENT, LLC, a
Texas limited liability company,
General Partner

By: *Daniel D. Rucker*
Name: DANIEL D. RUCKER
Title: Managing Member

By: *Richard L. Kinzel, Jr.*
Name: RICHARD L. KINSEL, JR.
Title: Managing Member

THE STATE OF ~~KANSAS~~ ^{Louisiana} }

COUNTY OF ~~JOHNSON~~ ^{Orleans} }

This instrument was acknowledged before me on the 8th day of April, 2015, by FRANCIS B. FREEMAN, JR., Sole Member of FREEMAN HOLDINGS OF TEXAS, L.L.C., a Texas limited liability company, on behalf of said company.



Lettycha Gonzalez
Notary Public, State of ~~Kansas~~ ^{Louisiana}

Notary's printed name:

Lettycha Gonzalez

Notary's commission expires: upon death

THE STATE OF TEXAS }

COUNTY OF HARRIS }

This instrument was acknowledged before me on the 14th day of April, 2015, by DANIEL D. RUCKER, Managing Member of CBPD MANAGEMENT, LLC, a Texas limited liability company, General Partner of COASTAL BEND PROPERTY DEVELOPMENT, LP, a Texas limited partnership, on behalf of said company and partnership.



[Signature]
Notary Public, State of Texas

Notary's printed name:

Notary's commission expires:

THE STATE OF TEXAS }

COUNTY OF HARRIS }

This instrument was acknowledged before me on the 14th day of April, 2015, by RICHARD L. KINSEL, JR., Managing Member of CBPD MANAGEMENT, LLC, a Texas limited liability company, General Partner of COASTAL BEND PROPERTY DEVELOPMENT, LP, a Texas limited partnership, on behalf of said company and partnership.



[Signature]
Notary Public, State of Texas

Notary's printed name:

Notary's commission expires:

(H:jkm\titleco\April15\22-14046665-GH)

Return to: Coastal Bend Property
4558 FM 2351 Rd.
Friendswood, Texas 77540

EXHIBIT "A"

Fieldnotes for a 9.5455 acre tract of land being out of and a part of Division A, Lot 63 of the Hoidale and Coffman Subdivision of the Perry and Austin League, Abstract 55, in Friendswood, Harris County, Texas according to the map or plat of same recorded in Volume 3 Page 6 of the Map Records of Harris County, and being that same 9.5455 acre tract of land conveyed to Freeman Holdings, L.L.C., as described in deeds recorded under County Clerk's File Nos. W176134, 20070519344, 20070519345, 20080057856, 20080057863, and 20090356404, all of the Real Property Records of Harris County, said 9.5455 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod with cap set in the Northwest line of F.M. Highway No. 2351, based on a 120 foot right-of-way, at its intersection with the common line between said Division A and Division B, Lot 63 of said Hoidale and Coffman Subdivision, said point being the most Easterly corner of the said 9.5455 acre tract and the herein described tract, said point also being the most Southerly corner of Lot 1, Friendswood City Texaco, a subdivision recorded under Film Code No. 375112 of the said Map Records;

Thence, South 45°36'09" West, 660.00 feet with the Northwest line of said F.M. Highway No. 2351 to a 5/8 inch steel rod with cap set for the most Southerly corner of the herein described tract, said point also being the most Easterly corner of that certain 29.3726 acre tract of land conveyed to Baham Interests Limited Partnership, as described in deed recorded under County Clerk's File No. 20120548043 of the said Real Property Records, and being in the common Southwest line of said Division A of Lot 63 and the Northeast line of Division B, Lot 62 of said Hoidale and Coffman Subdivision;

Thence, North 45°00'38" West, 630.04 feet with the common line between said Lots 62 and 63, and with the Northeast line of said 29.3726 acre tract to a 5/8 inch steel rod found marking the most Westerly corner of said Division A and the herein described tract, said point also being the most Southerly corner of that certain 10 acre tract conveyed to Primavera Resources, Inc. as described in deed recorded under County Clerk's File No. S558282 of the said Real Property Records, said point also being the common corner of Divisions B and C of Lot 62 and Divisions A and D of Lot 63 of said Hoidale and Coffman Subdivision;

Thence, North 45°36'09" East 660.00 feet with the Southeast line of the said 10 acre tract and with the common line between Divisions A and D of said Lot 63 to a 5/8 inch steel rod with cap set for the most Northerly corner of the herein described tract, said point being the common corner of Divisions A, B, C, and D of said Lot 63, said point also being in the Southwest line of that certain 16.592 acre tract of land conveyed to BSR, L.L.C., as described in deed recorded under County Clerk's File No. 20090099800 of the said Real Property Records;

Thence, South 45°00'38" East with the Southwest line of the said 16.592 acre tract and the common line between Divisions A and B, at 445.19 feet passing the most Westerly corner of aforesaid Friendswood City Texaco, and continuing with the Southwest line of said Friendswood City Texaco in all, a total distance of 630.04 feet to the PLACE OF BEGINNING and containing 9.5455 acres or 415,803 square feet of land, more or less.

Thomas Land Surveying

Surveying • Planning • Project Management

May 14, 2014

9.5455 Acres

Fieldnotes for a 9.5455 acre tract of land being out of and a part of Division A, Lot 63 of the Hoidale and Coffman Subdivision of the Perry and Austin League, Abstract 55, in Friendswood, Harris County, Texas according to the map or plat of same recorded in Volume 3 Page 6 of the Map Records of Harris County, and being that same 9.5455 acre tract of land conveyed to Freeman Holdings, L.L.C., as described in deeds recorded under County Clerk's File Nos. W176134, 20070519344, 20070519345, 20080057856, 20080057863, and 20090356404, all of the Real Property Records of Harris County, said 9.5455 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod with cap set in the Northwest line of F.M. Highway No. 2351, based on a 120 foot right-of-way, at its intersection with the common line between said Division A and Division B, Lot 63 of said Hoidale and Coffman Subdivision, said point being the most Easterly corner of the said 9.5455 acre tract and the herein described tract, said point also being the most Southerly corner of Lot 1, Friendswood City Texaco, a subdivision recorded under Film Code No. 375112 of the said Map Records;

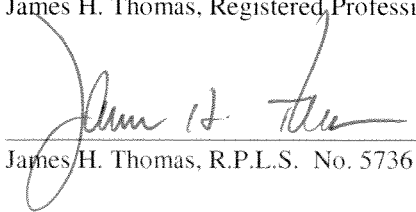
Thence, South 45°36'09" West, 660.00 feet with the Northwest line of said F.M. Highway No. 2351 to a 5/8 inch steel rod with cap set for the most Southerly corner of the herein described tract, said point also being the most Easterly corner of that certain 29.3726 acre tract of land conveyed to Baham Interests Limited Partnership, as described in deed recorded under County Clerk's File No. 20120548043 of the said Real Property Records, and being in the common Southwest line of said Division A of Lot 63 and the Northeast line of Division B, Lot 62 of said Hoidale and Coffman Subdivision;

Thence, North 45°00'38" West, 630.04 feet with the common line between said Lots 62 and 63, and with the Northeast line of said 29.3726 acre tract to a 5/8 inch steel rod found marking the most Westerly corner of said Division A and the herein described tract, said point also being the most Southerly corner of that certain 10 acre tract conveyed to Primavera Resources, Inc. as described in deed recorded under County Clerk's File No. S558282 of the said Real Property Records, said point also being the common corner of Divisions B and C of Lot 62 and Divisions A and D of Lot 63 of said Hoidale and Coffman Subdivision;

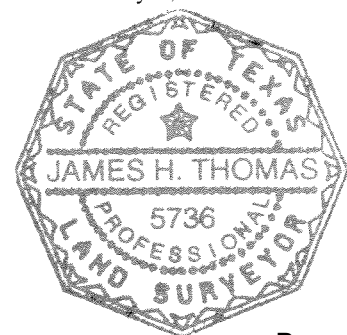
Thence, North 45°36'09" East 660.00 feet with the Southeast line of the said 10 acre tract and with the common line between Divisions A and D of said Lot 63 to a 5/8 inch steel rod with cap set for the most Northerly corner of the herein described tract, said point being the common corner of Divisions A, B, C, and D of said Lot 63, said point also being in the Southwest line of that certain 16.592 acre tract of land conveyed to BSR, L.L.C., as described in deed recorded under County Clerk's File No. 20090099800 of the said Real Property Records;

Thence, South 45°00'38" East with the Southwest line of the said 16.592 acre tract and the common line between Divisions A and B, at 445.19 feet passing the most Westerly corner of aforesaid Friendswood City Texaco, and continuing with the Southwest line of said Friendswood City Texaco in all, a total distance of 630.04 feet to the PLACE OF BEGINNING and containing 9.5455 acres or 415,803 square feet of land, more or less.

This description is based on the land title survey and plat (Job No. 15256) made under the direction of James H. Thomas, Registered Professional Land Surveyor on July 21, 2007, and revised on May 7, 2014.


James H. Thomas, R.P.L.S. No. 5736

14340 Torrey Chase Blvd., Suite 270 • Houston, Texas 77014
(281) 440-7730 • Fax (281) 440-7737
www.thomaslandsurveying.com



ArcGIS Web Map

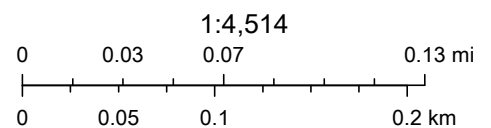


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 City Limits

 Streets

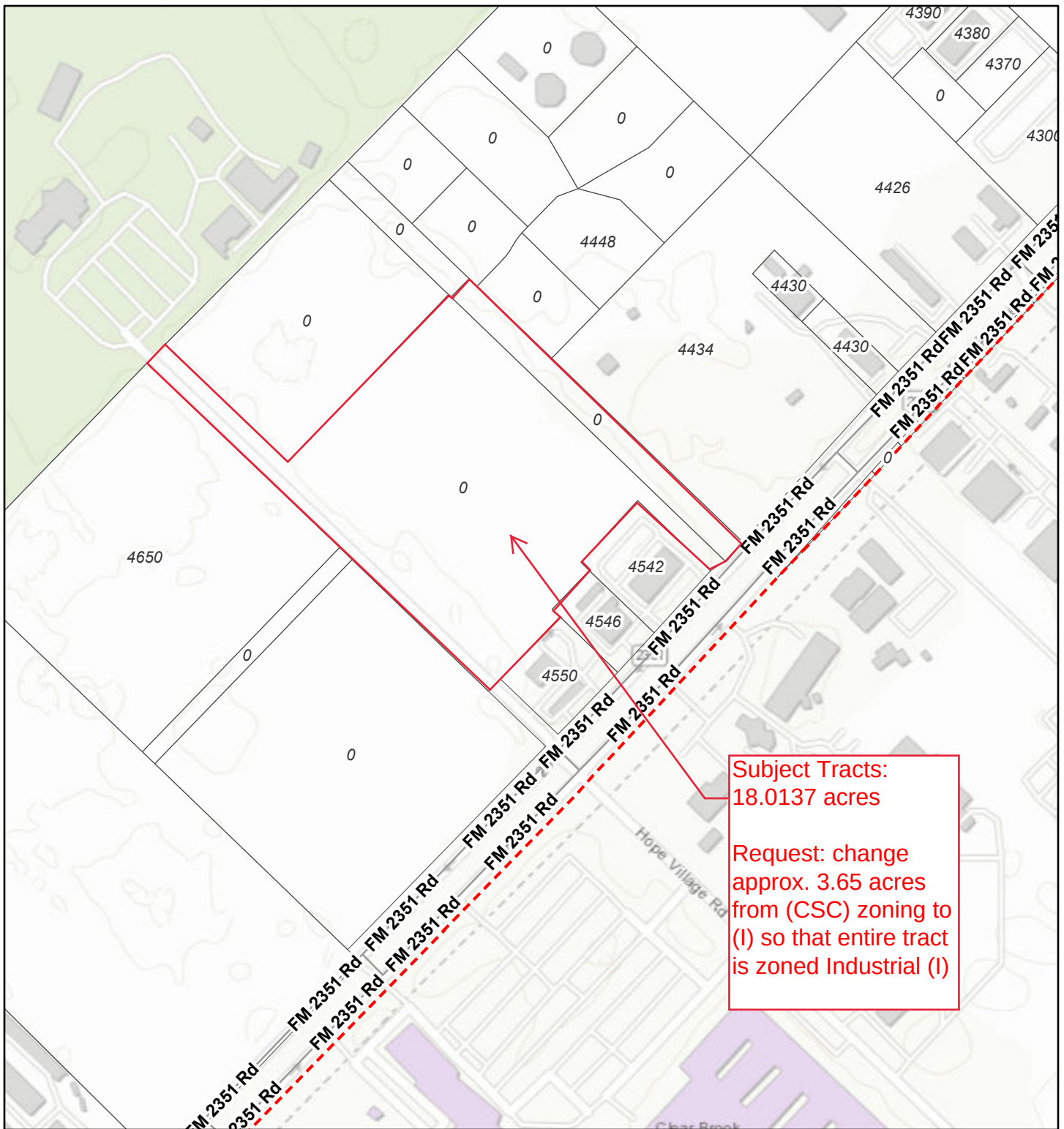
 Parcels



Esri Community Maps Contributors, City of Houston, Brazoria County, HPB, Texas Parks & Wildlife, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

ArcGIS Web AppBuilder

ArcGIS Web Map

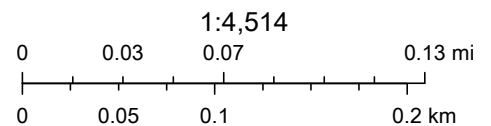


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 City Limits

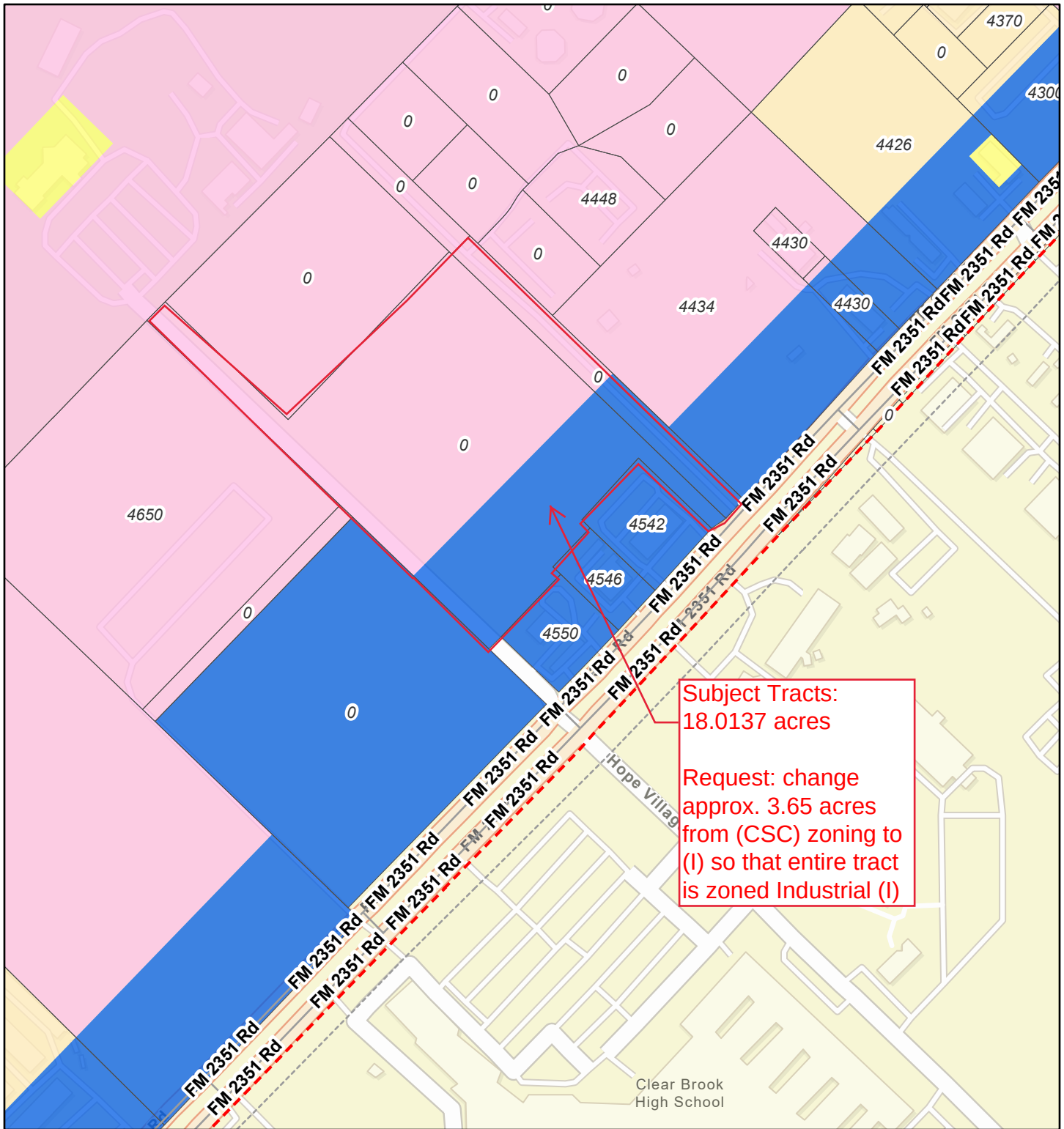
 Streets

 Parcels

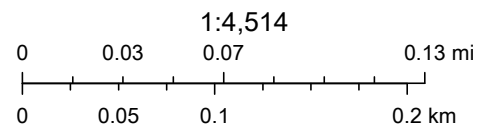
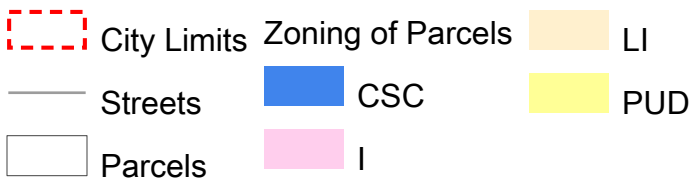


City of Houston, HPB, Brazoria County, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

ArcGIS Web Map

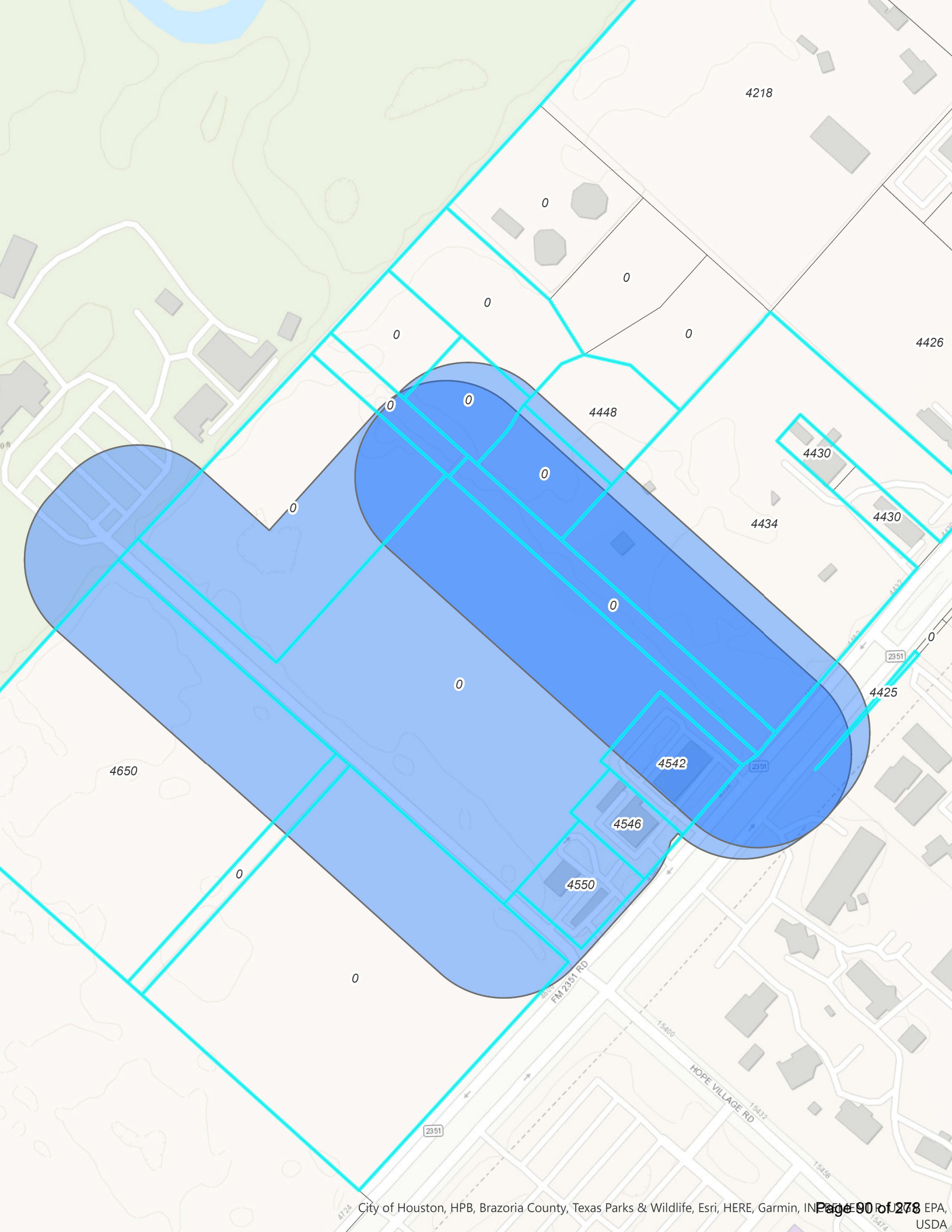


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Esri Community Maps Contributors, City of Houston, Brazoria County, HPB, Texas Parks & Wildlife, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

ArcGIS Web AppBuilder



CLASSIFIEDS 281-485-7501

LEGALS

Published July 21 & 28, 2021

NOTICE OF REQUEST FOR PROPOSALS

Friendswood Independent School District will accept proposals, for the #21-011 Supply of Electricity, until 3:00 P.M., August 16, 2021 (the "Due Date"). Proposals must be delivered before the Due Date to Friendswood Independent School District, 302 Laurel Drive, Friendswood, TX 77546 as further specified in the proposal (RFP) documents. This request for proposals is for electrical power and also related electrical power demand response and ancillary services as specified and detailed in the proposal documents, which may be obtained from AEG Affiliated Energy Group, Retail Division, fax (214) 292-8514, or email FriendswoodISD@affiliatedenergy.com. Interested parties must request proposal documents at least 24 hours prior to the Due Date. Friendswood ISD reserves the right to accept or reject any or all proposals, waive all informalities or irregularities and award the proposal in the best interest of Friendswood ISD. The proposal process will be conducted in accordance with the proposal procedures as set forth in the Texas Education Code 44.031.

LEGALS

Published July 14 & 21, 2021

CITY OF PEARLAND, TEXAS NOTICE TO BIDDERS

Sealed bids will be received by the City of Pearland Purchasing Division, 3519 Liberty Dr., until **11:00 a.m., CST, Thursday, July 29, 2021** and all bids will be publicly acknowledged by name via virtual meeting. Interested parties may join the meeting by calling into the meeting at: Dial in #: 281-652-1955; Meeting #: 1790#; Access Code #: 0971# on that date for:

TREE MAINTENANCE SERVICES BID NO. 0721-50

Bid forms, specifications and all necessary information may be obtained from the following website: <https://pearland.ionwave.net>. Vendors are encouraged to return the bid response electronically using the City's e-bid system but may submit by hard-copy to City Secretary, with either manner due by the closing date and time stated above.

The City reserves the right to reject any or all bids, or to accept any bid or combination of bids deemed advantageous to it.

Vendors should register on the City's e-bid system at <https://pearland.ionwave.net> (if not already registered). Once registered on the City's e-bid system, bid documents may be viewed on the site. If further assistance is needed, please email ebids@pearlandtx.gov no later than 9:00 a.m. Thursday, July 22, 2021. Make reference to **Bid Number 0721-50**. Bid Closing Date: **July 29, 2021**.

Crystal Roan
City Secretary, City of Pearland

First Publication: **July 14, 2021**
Second Publication: **July 21, 2021**

LEGALS

Published July 14 & 21, 2021

NOTICE TO BIDDERS CITY OF PEARLAND, TEXAS

Sealed Bids will be accepted until **2:00 p.m. Thursday, August 5, 2021** and read aloud into the public record for the following project:

Oakbrook & Oakbrook Estates Water Quality City of Pearland, Texas COP PN: WA1906 & WA2003 BID NO.: 0721-52

The project area is located North of Dixie Farm Rd in the Oakbrook and Oakbrook Estates subdivisions. Project address is 2753 Biscayne Bay Dr, Pearland, TX 77584. Streets included in Phase 1 are: Oak Lane Circle, Oak Cluster Circle, Oak Gate Circle, Oakbrook Circle, Oak Fork Circle, Oak Tree Circle, Oak Shire Drive, Castle Oaks Drive, Barretts Glen Drive, and Oak Lodge Drive. Streets included in Phase 2 are: Oak Bent Drive, Branch Hill Drive, Oak Lodge Drive, Scarlet Oak Drive, Oak Top Drive, East Baden Oaks Drive, Dixie Hill Court, Oak Point Court, Bracket Drive, Oak Leaf Circle, Oak Land Circle, Oak Point Drive, Pin Oak Drive N, Oak Place Court, Oak Trace Court, Oak Chase Court, Oak Bark Court, Majestic Oaks Court, and Winding Forest Drive.

The project will entail the addition of approximately 4,500 linear feet of new 6-inch diameter water line construction, and associated valves, connections, appurtenances, hydrostatic testing, and disinfection. The proposed water lines are to be installed by primarily trenchless construction.

A mandatory pre-bid conference will be held at City Hall at 3519 Liberty Dr, Pearland, Texas 77581 at **10:00 a.m. on Thursday, July 22, 2021**.

All bids should be submitted through the E-Bid system located on the City's website at: <https://pearland.ionwave.net/Login.aspx>. All interested Bidders are advised to register as a "supplier" on the City's E-Bid System at the above website by clicking on "Supplier Registration" and completing a short registration questionnaire. Electronic Bid Documents, including Plans, Technical Specifications and Bid Forms are available for download after registration is approved by City Purchasing office. No plan fees or deposits are required for bid documents obtained through the City's E-bid System. Questions regarding electronic bidding should be directed to City Purchasing Office at ebids@pearlandtx.gov.

Bid Documents are also available for review at the following plan houses:
Amtek Plan Room (713) 956-0100
The Associated General Contractors of America, Inc. (713) 334-7100
Associated Builders & Contractors of Greater Houston (713) 523-6222
Dodge Reports (713) 316-9411

Bid Security, in the form of Cashier's Check, Certified Check, or Bid Bond, payable to the City of Pearland in the amount of 5% of the total base bid price, must accompany each Bid proposal. See Instructions to Bidders for Bond submittal information and instructions.

The City of Pearland reserves the right to reject any or all bids.

Crystal Roan,
City Secretary, City of Pearland

First Publication date **July 14, 2021**
Second Publication date **July 21, 2021**

LEGALS

Published July 21 & 28, 2021

NOTICE TO BIDDERS FRIENDSWOOD I.S.D. RFP #21-010

FISD REQUEST FOR PROPOSAL #21-010 PROMOTIONAL ITEMS & APPAREL

The Friendswood Independent School District will be accepting Sealed Proposals (Texas Education Code 44.031) for PROMOTIONAL ITEMS & APPAREL. Sealed proposals can be submitted online or to FISD's Administration Building at 302 Laurel Drive, Friendswood, Texas 77546. Proposals must be received on or before 2:00 p.m., August 25, 2021. Bid packets are available on FISD's website www.myfisdc.com/information-for-vendors or through the Public Purchase website www.publicpurchase.com. Please contact cbtain@fisdk12.net with any questions. The Friendswood Independent School District reserves the right to postpone, to accept or to reject any and all proposals as it deems to be in its best interest and to waive formalities and reasonable irregularities.

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change to Amend Avalon at Friendswood Planned Unit Development (PUD) 2019-37 to Incorporate 26.921 Acres of Annexed Property (no zoning district assigned)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for 183.386 acres of land located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.224 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.**

The Planning and Zoning Commission will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The City Council will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

The City of Friendswood is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. For assistance, please contact the City's ADA Coordinator Brian Rouane at 281-996-3285 via phone, 281-482-1634 via fax or contact 281-996-3285 via Relay Texas at 711 or 1-800-735-2988 for TYY services. For more information concerning Relay Texas, please visit <http://relay-texas.com>.

Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Accommodate the Development of Industrial (I) Zoned Properties in the Panhandle Area

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2. Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.

The **Planning and Zoning Commission** will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The **City Council** will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

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Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Increase Mitigation Requirements to Promote Preservation of Existing Trees

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.

The **Planning and Zoning Commission** will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The **City Council** will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

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Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

NOTICE OF PUBLIC HEARINGS OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS

Notice is hereby given that the City Council of the City of Pearland, in Brazoria, Harris and Fort Bend Counties, Texas, the City Council of the City of Pearland will hold a hearing and Ordinance adoption consideration on Monday, **July 26, 2021**, at 6:30 p.m., at City Hall, 3519 Liberty Dr., Pearland, Texas 77581, by **telephone/video conference and in-person** with social distancing protocols and restrictions in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19), for the following cases:

1. Thoroughfare Plan Amendments: A request by the City of Pearland, applicant, for approval of proposed amendments to the Thoroughfare Plan of the City's Comprehensive Plan, in accordance with Texas Local Government Code Sections 211.004 and 213.003, to promote health, safety, general welfare, and provide for adequate facilities for transportation.

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. For additional information, please contact the Planning Department at 281-652-1765.

Martin Griggs, AICP, CNU-A
Planning Manager

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change Request to Change Approximately 3.65 Acres of Land from Community Shopping Center (CSC) to Industrial (I)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for approximately 3.65 acres out of 18.0137 acres located along FM 2351 (address not yet assigned), the 18.0137 acres more fully described in 4 tracts: 16.592 acres out of and part of Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, .0918 acres out of and part of Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, and .1119 acres of land out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas; and 1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, Film Code 688395, City of Friendswood, Harris County, Texas to change from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).**

The **Planning and Zoning Commission** will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The **City Council** will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

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Leticia Brysch, City Secretary

For more news visit myreporternews.com

RICKY TULLOS

OILER FOOTBALL CAMP

2nd - 9th Grade Football Camp 2021

Home of the 2010 5A Div. I State Champions

July 26-28 (M-W) at The Rig

8:00 a.m. - 11:00 a.m.

Instructors: Pearland Oilers Football Staff

COST: \$75.00 PRE-REGISTER ~ \$85 FOR WALKUPS

WEAR: SHORTS, T-SHIRT & RUNNING SHOES

BRING: A POSITIVE ATTITUDE, CLEATS, WATER BOTTLE, SUNSCREEN & MEDICATIONS

SKILLS: FOOTBALL SKILLS, WEIGHT ROOM TECHNIQUES, NUTRITION, AND LEADERSHIP DEVELOPMENT

Fo more information contact RICKY TULLOS, CAMP DIRECTOR

281.997.3281 or tullostr@pearlandisd.org



ACC player selected in MLB Draft

Alvin Community College pitcher Owen Holt was recently selected in the Major League Baseball draft by the Cincinnati Reds.

Holt, of Houston, was taken in the 16th round of the draft and was the 480th overall pick.

"Owen came in with a mid-90 MPH fastball and good secondary stuff," ACC Baseball Coach Jason Schreiber said. "His personality and leadership was the attributes that impressed me the most. There is no doubt Owen will thrive in professional baseball."

Owen pitched for ACC this past season not long after he signed on to play for Harvard University.

"He came to us for the Spring semester," Schreiber said. "He wanted to play baseball and the Ivy League was not having their season due to COVID. Immediately Owen embraced the juko life and he fit in right away."

Owen was 7-3 in the Spring season for ACC with 65 strikeouts and a 10.26 K/9 ratio.

This summer Holt has been pitching for the Williamsport Crosscutters in the MLB Draft League.



Page 91 of 278

Photo courtesy of Williamsport Crosscutters



Rezoning Report

July 2021

Project: Industry Park 2

Address: Zone change affecting approximately 3.65 acres out of 18.0137 acres located at FM 2351 (address not yet assigned); entirety of tracts would be zoned Industrial (I)

Legal: 16.592 acres out of a 19.4825 acre tract, being Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas

.0918 acres out of a 19.4825 acre tract, being Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas

.1119 acre tract of land located in the Perry and Austin League, Abstract 55, Harris County, Texas, being out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision as recorded in Volume 3, Page 6, Harris County Map Records, .1119 acre tract being out of and a part of 19.4825 acre tract filed under Harris County Clerk file No. RP-2019-182701

1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, a subdivision of 9.7462 acres out of Lot 63 Divisions “B” & “C” and Lots 64 Division “D” of Hoidale-Coffman addition, Volume 3, Page 6, Harris County Map Records in the Perry and Austin League, Abstract 55, City of Friendswood, Harris County, Texas

Request: Change the zoning from change from Community Shopping Center (CSC) to Industrial (I)

Zoning Ordinance, Appendix C

I, Industrial District, general purpose and description. The I, Industrial District, is intended to provide for industrial uses and other uses not otherwise provided for in the other districts. The intensity of uses permitted in this district makes it necessary to separate it from all residential districts and most commercial districts wherever possible.

1. Area and height regulations. Area and height regulations in an I district are set forth in subsection Q.2 of this section, regulation matrix.
2. See section 8 for supplementary district regulations.
3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the

planning and zoning commission within the I district under certain circumstances and conditions.

4. Permitted uses. Uses permitted in an I district are set forth in subsection P of this section, permitted use table.

Existing Use/Site Attributes:

The proposed project envelops three major sections of land which all front FM 2351 or Beamer Road.



City of Friendswood Aerial Map

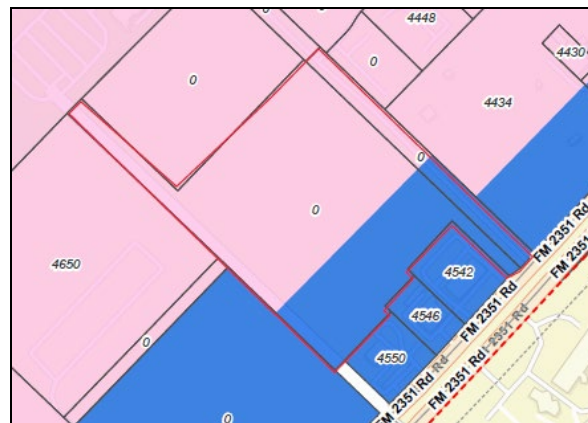
Zoning History:

The current zoning of the properties is Community Shopping Center (CSC) and Industrial (I).

Ordinance 84-15 changed the zoning of a 300ft x 660ft strip of the subject property (and the three tracts in front) from Industrial (I) to Community Shopping Center (CSC). In the early 80's several tracts were rezoned to provide a 300-ft commercial buffer along FM 2351.

Adjacent Zoning/Land Use:

The property is bordered by tracts that are zoned Community Shopping Center (CSC) and Industrial (I). Access to the development is from FM 2351 and Beamer Road.



City of Friendswood Zoning Map

Platting Analysis:

The subject property will be required to plat at the time of development. Platting can be accomplished in phases provided that each phase complies with both state law and City of Friendswood Ordinances. Plats will be reviewed by all applicable city departments and approved by the Planning and Zoning Commission.

Planning Analysis:

The Planning and Zoning Commission is working on some amendments to the Zoning Ordinance to accommodate Industrial development on this tract and others that are located in the panhandle area. The proximity to other existing developments that are not inside the City limits of Friendswood and the industrial nature of the panhandle area

Notice of the public hearings was published in the newspaper, a sign was posted on the property and property owner notices were mailed to property owners within 200 feet of the subject property.

Comprehensive Planning Analysis:

The 2008 Future Land Use Map identifies this property as “Special Interest Non-Residential with Industrial Emphasis.”

Infrastructure/Service Delivery Impacts**Storm Water Management and Floodplain Issues:**

The developer must provide on-site detention. Storm water detention requirements will be subject to the City of Friendswood Design Criteria Manual, as well as the Harris County Flood Control District design criteria.

Utilities:

The developer will be required to extend water and sewer infrastructure to the development. Electricity and natural gas services would be provided by Centerpoint.

Access:

The property currently has access to FM 2351 and the private road to Timber Creek Golf Course. Development of the tract will require platting and compliance with the Subdivision Ordinance requirements.

Park/Open Space:

Parkland Dedication does not apply to commercially zoned property.



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Conduct a public hearing to receive comments, both oral and written, regarding a zone classification change for 183.386 acres of land located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.224 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.

Action:

SUMMARY / ORIGINATING CAUSE

This application is an amendment to the Avalon at Friendswood Planned Unit Development (PUD 2019-37) to incorporate the 26.921 acres of land that was deannexed by the City of League City. The total development will now be inside the City of Friendswood limits; however the homes that are built on the 26.921 acres will still be zoned to Clear Creek Independent School District.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Zoning needs to be assigned to the property since its annexation.

RECOMMENDATIONS

None at this time.

ATTACHMENTS

1. Application_Avalon PUD Amendment
2. Deed 86 acres
3. Deed 97 acres
4. Survey of 86.442 acres
5. Survey of 97 acres
6. Aerial Map_Avalon PUD Amend No 2
7. Location Map_Avalon PUD Amend No 2
8. Zoning Map_Avalon PUD Amend No 2
9. Buffer Map_Avalon PUD Amend No 2
10. Legal Ad for 7-21-21
11. Avalon Zone change sign posted 07-29-2021
12. Rezoning Report Avalon PUD July 2021
13. Avalon at Friendswood PUD
14. Avalon at Friendswood Conceptual Development Plan
15. Avalon at Friendswood Area Map



City of Friendswood – Community Development

910 S. Friendswood Drive

Friendswood, TX 77546

Phone: 281-996-3201 Fax: 281-996-3260

www.ci.friendswood.tx.us

Zone Change Application

CURRENT ZONE OF PROPERTY: SFR / PUD

TYPE OF ZONE CHANGE (check one):

☐ Land Use Change to Zone: _____

☐ Specific Use Permit Option 1

☐ Planned Unit Development Option 1

☐ Specific Use Permit Option 2

☒ Planned Unit Development Option 2

SUP for Use(s) #: _____

PROPERTY IDENTIFICATION:

Address: North and South of Friendswood Lakes Blvd (to the West of West Ranch and West Blvd.)

Platted Land – Plat Name: n/a Lot: _____ Block: _____

Unplatted Land – Attach a certified metes and bounds description

OWNER NAME: Taylor Morrison of Texas, Inc. Phone: 281-598-3040

Owner's Mailing Address: 2929 Briarpark Dr. North, Suite 400

City: Houston State: TX Zip: 77042 Fax: _____

Owner's Email Address: bskinner@taylor Morrison.com

AGENT'S NAME : META Planning + Design Phone: 281-810-1422 ext 105

Agent's Mailing Address: 24275 Katy Freeway, Suite 200

City: Katy State: TX Zip: 77494 Fax: _____

Agent's Email Address: Kathryn Parker - kparker@metaplanningdesign.com

In authorizing an agent to represent the owner, the owner attests that his/her agent may make verbal or written representations and/or declarations on the owner's behalf and the owner understands and acknowledges that the City of Friendswood shall rely upon the agent's representations in matters pertaining to the above described property. The designation of an agent in this matter in no way absolves the owner of any of the owner's responsibilities outlined by the City of Friendswood. The owner must be the legal owner of record of the property at the time of submittal of the application.

The undersigned hereby request approval by the City Council on the above identified zone change.

Owner's Signature Robert L Skinner Digitally signed by Robert L Skinner
Date: 2021.06.10 15:59:22 -05'00' Date: _____

Agent's Signature: Kathryn Parker Date: 7/16/2021

Received By: <u>Becky Bennett</u>	Application Number: <u>PLAD - 2021 - 0033</u>
Date of Public Hearing: <u>8-12, 9-13</u>	Received Date: <u>7-9-2021</u>
Property Owner Notices: <u>7-30-2021</u>	Newspaper Notice: <u>7-19-2021</u>
	Sign on Property: <u>7-30-2021</u>

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**SPECIAL WARRANTY DEED
WITH VENDOR'S LIEN**

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS THAT:
COUNTY OF GALVESTON§

WHEREAS, pursuant to that certain Earnest Money Contract dated as of July 15, 2019 (the "Purchase Agreement"), by and between Yellowstone Hill Country Ranching, LLC ("Grantor"), and Taylor Morrison of Texas, Inc. ("Grantee"), Grantor agreed to convey to Grantee all of those certain tracts of land containing approximately 86.442 acres of land that is described by metes and bounds on Exhibit "A" attached hereto and made a part hereof (the "Land"), together with Grantor's interest, if any, without warranty or recourse, in (i) any and all rights, privileges, and appurtenances belonging or pertaining to the Land; (ii) any and all improvements, structures, and fixtures located on, over, and under the Land; (iii) any and all easements or rights-of-way affecting the Land and any of Grantor's rights to use the same; (iv) any and all rights of ingress and egress to and from the Land and any of Grantor's rights to use the same; and (v) all right, title, and interest of Grantor, if any, in and to any and all (a) air rights, water rights, claims, and permits relating to the Land, (b) reversionary interests in and to the Land, and (c) permits, approvals, utilities and rights to servicing of utilities, privileges and entitlements appurtenant to the Land (the Land, together with any and all of the related improvements, rights, privileges, appurtenances and interests referenced in items (i) through (vi) above are herein collectively referred to as the "Property");

NOW, THEREFORE, BE IT RESOLVED, that Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration and a promissory note ("Note") of even date herewith in the principal amount of Two Million Five Hundred Thousand and No/100 Dollars (\$2,500,000.00) executed by Grantee to Grantor. The Note is secured by a Vendor's Lien in the Deed ("Vendor's Lien") and payment of the Note shall be secured by (i) the Vendor's Lien and superior title herein retained by Grantor and (ii) that certain Deed of Trust of even date herewith from Grantee for the benefit of, the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY, unto said Grantee the Property.

For Grantor and Grantor's successors and assigns forever, Grantor hereby reserves all of the oil, gas, and other minerals which are presently owned by Grantor, if any, and which lie in, on or under the Property or that may be produced from the Property; provided, however, Grantor hereby waives, on behalf of Grantor and Grantor's successors and assigns, all rights of access, ingress and egress over the surface of any of the Property, and all other rights of every kind and character whatsoever to enter upon, use or otherwise affect the surface of the Property or any part thereof, for any purpose, including but not limited to, for purposes of mining, drilling, exploring, exploiting, producing, processing, transporting, marketing or developing such reserved oil, gas

and minerals or for any other reason (collectively, the "Mineral Estate"). The foregoing surface use waiver is binding upon the lessee under any lease of the Mineral Estate granted by Grantor or Grantor's successors or assigns. If the Mineral Estate becomes subject to, or is subject to existing production or an existing oil, gas and mineral lease, then Grantor's reservation of the Mineral Estate also includes all of such production, and all benefits from such lease, that are presently owned by Grantor, if any, or which Grantor is presently, or will in the future be, entitled to receive under the terms and provisions of any such lease, if any (collectively, the "Mineral Leases", together with the Mineral Estate, collectively, the "Mineral Reservation").

The Vendor's Lien and superior title to the Property as hereby retained for the benefit of Grantor.

This conveyance is made and accepted subject to the restrictions, reservations, covenants, conditions, liens, easements and encumbrances described in Exhibit "B" attached hereto and made a part hereof, but only to the extent they are still in effect and are shown of record in the Official Records of Real Property of Galveston County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect and relating to the Property and to the following restrictions (collectively the "Permitted Exceptions") and the Mineral Reservation. **THE PROPERTY SHALL BE USED AND DEVELOPED AS A SINGLE-FAMILY RESIDENTIAL SUBDIVISION ONLY, WITH COMMON AREAS, AMENITIES AND OTHER IMPROVEMENTS ASSOCIATED WITH A SINGLE FAMILY RESIDENTIAL SUBDIVISION.**

EXCEPT AS TO THE WARRANTY OF TITLE CONTAINED IN THIS DEED AND THE LIMITED REPRESENTATIONS AND WARRANTIES SET FORTH IN THE EXCHANGE AGREEMENT, BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT IT IS ACCEPTING THE PROPERTY "AS-IS," "WHERE-IS" AND "WITH ALL FAULTS," IN ITS CURRENT CONDITION, AND THAT, EXCEPT AS EXPRESSLY SET FORTH IN THE PURCHASE AGREEMENT, GRANTOR HAS NOT MADE, DOES NOT MAKE, AND SPECIFICALLY NEGATES, RENOUNCES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, OF, AS TO, CONCERNING, OR WITH RESPECT TO, (I) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY, (II) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH MAY BE CONDUCTED THEREON, (III) THE COMPLIANCE OF OR BY THE PROPERTY WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (IV) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, OR (V) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY, AND SPECIFICALLY, THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY NEGATES, RENOUNCES AND DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES REGARDING COMPLIANCE OF THE PROPERTY WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING, WITHOUT LIMITATION, THOSE PERTAINING TO SOLID WASTE, AS DEFINED BY

THE U. S. ENVIRONMENTAL PROTECTION AGENCY REGULATIONS AT 40 C.F.R., PART 261, OR THE DISPOSAL OR EXISTENCE, IN OR ON THE PROPERTY OF ANY HAZARDOUS SUBSTANCES, AS DEFINED BY THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT OF 1980, AS AMENDED, AND THE REGULATIONS PROMULGATED THEREUNDER. GRANTEE SHALL RELY SOLELY ON ITS OWN INVESTIGATION AND NOT ON ANY INFORMATION PROVIDED BY GRANTOR OR THE AGENTS OR CONTRACTORS OF GRANTOR. GRANTOR SHALL NOT BE LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY OR OTHERWISE, OR THE OPERATION THEREOF, FURNISHED BY ANY PARTY PURPORTING TO ACT ON BEHALF OF GRANTOR.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor but not otherwise.

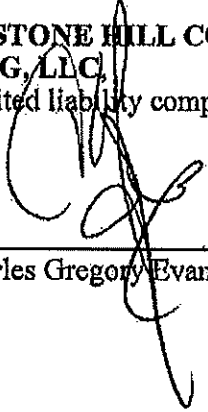
Taxes for the current year shall be prorated as of the date hereof, with Grantee assuming payment of all taxes accruing on and after the date hereof.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

EXECUTED as of the 4th day of November, 2019.

GRANTOR:

**YELLOWSTONE HILL COUNTRY
RANCHING, LLC,**
a Texas limited liability company

By: 
Charles Gregory Evans, Manager

STATE OF Texas §
COUNTY OF Harris §

This instrument was acknowledged before me on November 4th, 2019, by Charles Gregory Evans, the Manager of **YELLOWSTONE HILL COUNTRY RANCHING, LLC**, a Texas limited liability company, on behalf of said limited liability company.

[Notary Stamp/Seal]



Tarina M Sybert
Notary Public in and for the State of
Texas

Exhibit A
to
Special Warranty Deed

Property

TRACT 1

All of that certain 59.521 acres (2,592,729 square feet) tract or parcel of land situated in the **MARY FABREAU SURVEY, Abstract Number 69**, Galveston County, Texas, said 59.521 acres tract being out of and a part of a called 194.21 acres tract, called Tract "A", described in that certain Special Warranty Deed from the Estate of George A. Bofysil, Jr. to Yellowstone Hill Country Ranching, LLC recorded in Clerk's File Number 2010059686 of the Official Public Records of Galveston County, Texas, said 59.521 acres tract being more particularly described by metes and bounds as follows, with all bearings based on the Texas State Plane Coordinate System, South Central Zone:

COMMENCING at an iron rod with cap stamped "Wilson" found for the most Northerly corner of that same tract, called 97.00 acres, described in that certain Special Warranty Deed from Janet Cleaves Acord, Trustee, to Cypress Creek Holdings, Ltd. recorded in Clerk's File Number 2011019071 of the Official Public Records of Galveston County, Texas, said point being the most Easterly corner of Reserve "B" of **EAGLE LAKES, SECTION 5**, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 554-555, and being at the Southwest line of **FALCON RIDGE, SECTION THREE**, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 282, both recorded in the Office of the County Clerk of Galveston County, Texas, and being at the Northeasterly line of said **MARY FABREAU SURVEY**, the same being the Southwesterly line of the **SARAH McKISSICK SURVEY, Abstract Number 151**, Galveston County, Texas;

THENCE, S 41°53'32" W, along the Northwesterly line of said 97.00 acres tract and the Southeasterly line of said **EAGLE LAKES SECTION 5**; of **EAGLE LAKES SECTION 6**, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Volume 18, Page 770; and of **DOMINION AT FRIENDSWOOD LAKES**, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Plat Record 2011A, Map Number 53-54, both in the Office of the County Clerk of Galveston County, Texas, a distance of 2991.68 feet to a 5/8 inch iron rod found for the **POINT OF BEGINNING** and most Northerly corner of the herein described tract, said point being a reentrant corner of said 194.21 acres tract and the most Westerly corner of said 97.00 acres tract;

THENCE, S 48°07'44" E, a distance of 2122.93 feet to a 5/8 inch iron rod found for the most Easterly corner of both the herein described tract and of said 194.21 acres tract, said point also being the most Southerly corner of said 97.00 acres tract, being at the Southeasterly line of said **MARY FABREAU SURVEY**, being at Northwesterly line of both the **I.&G.N.R.R. COMPANY SURVEY NUMBER 4**, Abstract Number 608, Galveston County, Texas, and of a called 941.89 acres tract described in that certain Correction Deed from Neva Watkins West to Wesley West Cattle Company recorded in Clerk's File Number 9222784 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE, S 41°51'19" W, a distance of 1220.64 feet to an 1/2-inch iron rod found for the most Southerly corner of the herein described tract, of said 194.21 acres tract, and of said **MARY FABREAU SURVEY**, said point also being a reentrant corner of both said **I.&G.N.R.R. COMPANY SURVEY NUMBER 4** and of said 941.89 acres tract;

THENCE, N 48°08'53" W, along the Southwesterly line of both said 194.21 acres tract and of said **MARY FABREAU SURVEY**, a distance of 194.41 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set for angle point to the right, said point also being the Northeast corner of a called 26.92 acres tract, called Tract "B", described in the aforementioned Yellowstone Hill Country Ranching, LLC Special Warranty Deed, and being a North corner of both said I.&G.N.R.R. COMPANY SURVEY NUMBER 4 and of said 941.89 acres tract;

THENCE, N 48°08'48" W, along the Southwesterly line of said 194.21 acres tract, a distance of 1389.92 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set for angle point to the left, said point also being the Northwest corner of said 26.92 acres tract and being the Northeast corner of THE LAKES AT SAN JOAQUIN SECTION ONE, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 1302 in the Office of the County Clerk of Galveston County, Texas;

THENCE, N 48°13'48" W, along the Southwesterly line of said 194.21 acres tract and the Northeasterly line of said THE LAKES AT SAN JOAQUIN SECTION ONE, a distance of 539.38 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the most Westerly corner of the herein described tract;

THENCE, N 41°53'32" E, a distance of 1222.09 feet to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 59.521 acres (2,592,729 square feet) of land.

TRACT 2

All of that certain 26.921 acres, (1,172,660 square feet) tract or parcel of land situated in the **I.&G.N.R.R. COMPANY SURVEY NUMBER 5, Abstract Number 622**, Galveston County, Texas, said 26.921 acres tract being all of that same certain tract, called 26.92 acres tract, called Tract "B", described in that certain Special Warranty Deed from the Estate of George A. Bofysil, Jr. to Yellowstone Hill Country Ranching, LLC recorded in Clerk's File Number 2010059686 of the Official Public Records of Galveston County, Texas, said 26.921 acres tract being more particularly described by metes and bounds as follows, with all bearings based on the Texas State Plane Coordinate System, South Central Zone:

COMMENCING at an iron rod with cap stamped "Wilson" found for the most Northerly corner of that same tract, called 97.00 acres, described in that certain Special Warranty Deed from Janet Cleaves Acord, Trustee, to Cypress Creek Holdings, Ltd. recorded in Clerk's File Number 2011019071 of the Official Public Records of Galveston County, Texas, said point being the most Easterly corner of Reserve "B" of EAGLE LAKES, SECTION 5, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 554-555, and being at the Southwest line of FALCON RIDGE, SECTION THREE, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 282, both recorded in the Office of the County Clerk of Galveston County, Texas, and being at the Northeasterly line of said **MARY FABREAU SURVEY**, the same being the Southwesterly line of the SARAH McKISSICK SURVEY, Abstract Number 151, Galveston County, Texas;

THENCE, S 41°53'32" W, along the Northwesterly line of said 97.00 acres tract and the Southeasterly line of said EAGLE LAKES SECTION 5; of EAGLE LAKES SECTION 6, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Volume 18, Page 770; and of DOMINION AT FRIENDSWOOD LAKES, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Plat Record 2011A, Map Number 53-54, both in the Office of the County Clerk of Galveston County, Texas, at 2991.68 feet passing a 5/8 inch iron rod found for the most Westerly corner of said 97.00 acres tract and for a reentrant corner of a called 194.21 acres tract, called Tract "A", described in the aforementioned Yellowstone Hill Country Ranching, LLC Special Warranty Deed, and continuing for a total distance of 4213.77 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking a corner, said point being at the Southwesterly line of said 194.21 acres tract;

THENCE, S 48°13'48" E, along the Southwesterly line of said 194.21 acres tract and the Northeasterly line of **THE LAKES AT SAN JOAQUIN SECTION ONE**, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 1302 in the Office of the County Clerk of Galveston County, Texas, a distance of 539.38 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the **POINT OF BEGINNING**, said point also being the most Northerly corner of said 26.92 acres tract and being the Northeast corner of said **THE LAKES AT SAN JOAQUIN SECTION ONE**;

THENCE, S 48°08'48" E, along the Southwesterly line of said 194.21 acres tract, a distance of 1389.92 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the Northeast corner of said 26.92 acres tract, said point also being a Northeast corner of said the **I.&G.N.R.R. COMPANY SURVEY NUMBER 5** and being a North corner of both the **I.&G.N.R.R. COMPANY SURVEY NUMBER 4**, Abstract Number 608, Galveston County, Texas, and of a called 941.89 acres tract described in that certain Correction Deed from Neva Watkins West to Wesley West Cattle Company recorded in Clerk's File Number 9222784 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE, S 02°24'41" E, along the East line of said **I.&G.N.R.R. COMPANY SURVEY NUMBER 5** and a West line of both said **I.&G.N.R.R. COMPANY SURVEY NUMBER 4** and of said 941.89 acres tract, a distance of 740.89 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the Southeast corner of said 26.92 acres tract;

THENCE, S 86°15'05" W, a distance of 927.38 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the Southwest corner of said 26.92 acres tract, said point also being at the Southeast corner of the **FINAL AMENDED PLAT OF THE LAKE AT SAN JOAQUIN SECTION 2**, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2009A, Map Numbers 66-67 in the Office of the County Clerk of Galveston County, Texas, and from which point a found iron rod with cap stamped "RPLS #5007" bears N 47°28' E, 0.48 feet;

THENCE, N 04°39'59" W, along the West line of said 26.92 acres tract and the East line of said **FINAL AMENDED PLAT OF THE LAKE AT SAN JOAQUIN SECTION 2** and of said **THE LAKES AT SAN JOAQUIN SECTION ONE**, a distance of 1734.00 feet to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 26.921 acres, (1,172,660 square feet) of land.

Exhibit B
to
Special Warranty Deed

Permitted Exceptions

1. Restrictive covenants set forth in instrument recorded under Clerk's File No. 2010059686 of the Official Public Records of Galveston County, Texas.
2. Mineral reservation set out in deed recorded under Volume 653, Page 175 of the Deed Records of Galveston County, Texas.
3. Mineral reservation set out in deed recorded under Volume 653, Page 248 of the Deed Records of Galveston County, Texas.
4. Mineral reservation set out in deed recorded under Volume 739, Page 450 of the Deed Records of Galveston County, Texas.
5. Mineral reservation set out in deed recorded under Volume 965, Page 159 of the Deed Records of Galveston County, Texas.
6. Mineral reservation set out in deed recorded under Volume 997, Page 541 of the Deed Records of Galveston County, Texas.
7. Easement granted to the City of Friendswood set forth in instrument recorded under Clerk's File Nos. 9316397 and 9523682 of the Official Public Records of Galveston County, Texas.
8. Mineral reservation set out in deed recorded under Clerk's File No. 2010059686 of the Official Public Records of Galveston County, Texas.

FILED AND RECORDED

Instrument Number: 2019061400

Recording Fee: 54.00

Number Of Pages:9

Filing and Recording Date: 11/06/2019 12:24PM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in cursive script, reading "Dwight D. Sullivan".

Dwight D. Sullivan, County Clerk
Galveston County, Texas

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

STATE OF TEXAS

§

§ KNOW ALL BY THESE PRESENTS THAT:

COUNTY OF GALVESTON

§

THAT CYPRESS CREEK HOLDINGS, LTD., a Texas limited partnership ("CCHL"), MELISSA CLEAVES BENSON ("Benson"), CONSTANCE CLEAVES BRAKEBILL ("Brakebill"), VIRGINIA PARRISH CLEAVES ("VPC"), WILBUR R. CLEAVES ("WRC"), CATHERINE CLEAVES MAHON ("Mahon"), CATHERINE CLEAVES MAHON, TRUSTEE OF THE CATHERINE CLEAVES MAHON 1993 NONEXEMPT TRUST ("Mahon Nonexempt Trust"), CATHERINE CLEAVES MAHON, TRUSTEE OF THE CATHERINE CLEAVES MAHON 1993 EXEMPT TRUST ("Mahon Exempt Trust"), MELISSA CLEAVES BENSON, TRUSTEE OF THE MELISSA CLEAVES BENSON 1993 NONEXEMPT TRUST ("Benson Nonexempt Trust"), MELISSA CLEAVES BENSON, TRUSTEE OF THE MELISSA CLEAVES BENSON 1993 EXEMPT TRUST ("Benson Exempt Trust"), VIRGINIA PARRISH CLEAVES, TRUSTEE OF THE VIRGINIA PARRISH CLEAVES NONEXEMPT TRUST II ("VPC Trust II"), VIRGINIA PARRISH CLEAVES, TRUSTEE OF THE VIRGINIA PARRISH CLEAVES 1993 NONEXEMPT TRUST ("VPC Nonexempt Trust"), VIRGINIA PARRISH CLEAVES, TRUSTEE OF THE VIRGINIA PARRISH CLEAVES 1993 EXEMPT TRUST ("VPC Exempt Trust"), WILBUR R. CLEAVES, TRUSTEE OF THE WILBUR R. CLEAVES NONEXEMPT TRUST II ("WRC Trust II"), WILBUR R. CLEAVES, TRUSTEE OF THE WILBUR R. CLEAVES 1993 NONEXEMPT TRUST ("WRC Nonexempt Trust"), WILBUR R. CLEAVES, TRUSTEE OF THE WILBUR R. CLEAVES 1993 EXEMPT TRUST ("WRC Exempt Trust;" CCHL, Benson, Brakebill, VPC, WRC, Mahon, Mahon Nonexempt Trust, Mahon Exempt Trust, Benson Nonexempt Trust, Benson Exempt Trust, VPC Trust II, VPC Nonexempt Trust, VPC Exempt Trust, WRC Trust II, WRC Nonexempt Trust and WRC Exempt Trust are collectively referred to herein as "Grantor"), has agreed to convey to TAYLOR MORRISON OF TEXAS, INC., a Texas corporation ("Grantee"), whose address is 2929 Briar Park, Suite 400, Houston, Texas 77042, all of that certain tract of land containing approximately 91.95 acres that is described by metes and bounds on Exhibit "A" attached hereto and made a part hereof (the "Land"), together with (i) any and all improvements thereon, (ii) all rights, privileges, and appurtenances (including, without limitation, easements appurtenant and water rights) belonging or pertaining to the Land; (iii) any and all easements or rights-of-way affecting the Land and any of Grantor's rights to use the same, including rights of Grantor in adjacent streets and roads or in adjacent alleys, strips or gores of land; (iv) all rights relating to surface and underground water; (v) all rights, commitments, reservations, allocations, service agreements, operating agreements and maintenance agreements with respect to the provision of utility service to the Land, including, without limitation, potable water supply, sewage treatment capacity, sanitary sewer line capacity, storm sewer and drainage capacity, and gas, electric and telephone service, and (vi) all rights of Grantors in and to the oil, gas and minerals associated with or that may be produced from the Land (the Land, together with any and all of the

related improvements, rights, privileges, appurtenances and interests referenced in items (i) through (vi) above are herein collectively referred to as the "Property";

NOW, THEREFORE, BE IT RESOLVED, that Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Grantor, has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY, unto said Grantee the Property.

This conveyance is made and accepted subject to the restrictions, reservations, covenants, conditions, liens, easements and encumbrances described in **Exhibit "B"** attached hereto and made a part hereof, but only to the extent they are still in effect and are shown of record in the Official Public Records of Real Property of Galveston County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect and relating to the Property and to the following restrictions (collectively the "Permitted Exceptions").

EXCEPT AS TO THE WARRANTY OF TITLE CONTAINED IN THIS DEED AND THE LIMITED REPRESENTATIONS AND WARRANTIES SET FORTH IN THE PURCHASE AGREEMENT, BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT IT IS ACCEPTING THE PROPERTY "AS-IS," "WHERE-IS" AND "WITH ALL FAULTS," IN ITS CURRENT CONDITION, AND THAT, EXCEPT AS EXPRESSLY SET FORTH IN THE PURCHASE AGREEMENT, GRANTOR MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND TO GRANTEE, INCLUDING, WITHOUT LIMITATION, THE PHYSICAL CONDITION OF THE PROPERTY AND ANY IMPROVEMENTS LOCATED THEREON, OR THEIR SUITABILITY FOR ANY PARTICULAR PURPOSE OR OF MERCHANTABILITY. BY ACCEPTANCE OF THIS DEED, GRANTEE, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS, SHALL BE DEEMED TO HAVE WAIVED ALL LIABILITY OF, AND ALL CLAIMS AGAINST, GRANTOR WITH RESPECT TO THE PHYSICAL CONDITION OF THE PROPERTY, INCLUDING WITHOUT LIMITATION ENVIRONMENTAL MATTERS (AND ANY REMEDIATION, CONTRIBUTION, OR INDEMNITY OBLIGATIONS), EXCEPT LIABILITY FOR BREACH OF ANY EXPRESS REPRESENTATIONS OR WARRANTIES OF GRANTOR SET FORTH IN THE PURCHASE AGREEMENT.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor but not otherwise.

Taxes for the current year shall be prorated as of the date hereof, with Grantee assuming payment of all taxes accruing on and after the date hereof.

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EXECUTED as of the 15th day of November, 2019.

GRANTOR:

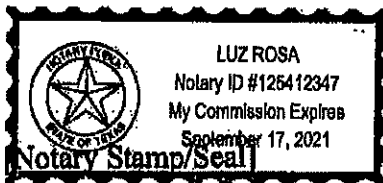
CYPRESS CREEK HOLDINGS, LTD.,
a Texas limited partnership

By: Cypress Creek GP, Inc.,
a Texas corporation,
its general partner

By: Dinah Weems
Dinah Weems, Vice President DW
Pres. of Cypress Creek GP, Inc.,
General Partner of Cypress Creek
Holdings, Ltd.

STATE OF TEXAS §
COUNTY OF Harris §
§

This instrument was acknowledged before me on November 15, 2019, by Dinah Weems, Vice President of Cypress Creek GP, Inc., a Texas corporation, general partner of CYPRESS CREEK HOLDINGS, LTD., a Texas limited partnership, on behalf of said limited partnership.



[Signature]
Notary Public in and for the State of Texas

[Grantor Signature Pages Continued on Next Page]

GRANTOR:

Melissa Cleaves Benson
MELISSA CLEAVES BENSON

Melissa Cleaves Benson TTEE
**MELISSA CLEAVES BENSON, TRUSTEE OF
THE MELISSA CLEAVES BENSON 1993
NONEXEMPT TRUST**

Melissa Cleaves Benson TTEE
**MELISSA CLEAVES BENSON, TRUSTEE OF
THE MELISSA CLEAVES BENSON 1993
EXEMPT TRUST**

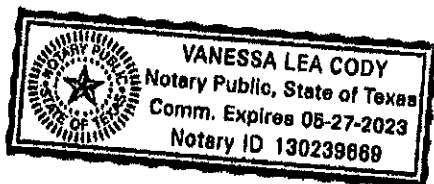
STATE OF TEXAS §
 §
COUNTY OF Williamson §

This instrument was acknowledged before me on November 18th, 2019, by MELISSA CLEAVES BENSON, individually and as TRUSTEE OF (I) MELISSA CLEAVES BENSON 1993 NONEXEMPT TRUST AND (II) MELISSA CLEAVES BENSON 1993 EXEMPT TRUST.

Vanessa Lea Cody
Notary Public in and for the State of Texas

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[Grantor Signature Pages Continued on Next Page]



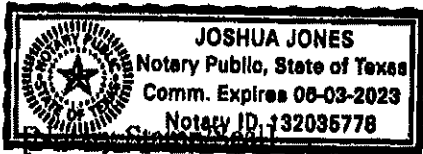
GRANTOR:

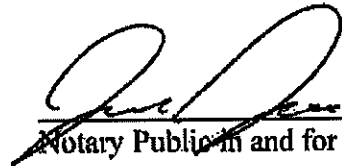

CONSTANCE CLEAVES BRAKEBILL

STATE OF TEXAS §

COUNTY OF Galveston §
 §

This instrument was acknowledged before me on November 15, 2019, by **CONSTANCE CLEAVES BRAKEBILL**.




Notary Public in and for the State of Texas

[Grantor Signature Pages Continued on Next Page]

GRANTOR:

Virginia Parrish Cleaves

VIRGINIA PARRISH CLEAVES

Virginia Parrish Cleaves TTEE

**VIRGINIA PARRISH CLEAVES, TRUSTEE
OF THE VIRGINIA PARRISH CLEAVES
NONEXEMPT TRUST II**

Virginia Parrish Cleaves TTEE

**VIRGINIA PARRISH CLEAVES, TRUSTEE
OF THE VIRGINIA PARRISH CLEAVES 1993
NONEXEMPT TRUST**

Virginia Parrish Cleaves TTEE

**VIRGINIA PARRISH CLEAVES, TRUSTEE
OF THE VIRGINIA PARRISH CLEAVES 1993
EXEMPT TRUST**

STATE OF TEXAS

§

COUNTY OF Williamson

§

§

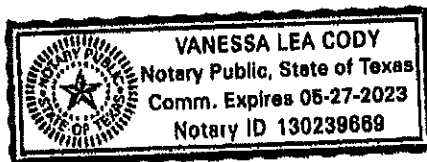
This instrument was acknowledged before me on November 18th, 2019, by **VIRGINIA PARRISH CLEAVES**, acting individually, and as **TRUSTEE OF THE (I) VIRGINIA PARRISH CLEAVES NONEXEMPT TRUST II, (II) VIRGINIA PARRISH CLEAVES 1993 EXEMPT TRUST, AND (III) VIRGINIA PARRISH CLEAVES 1993 NONEXEMPT TRUST.**

Vanessa Lea Cody

Notary Public in and for the State of Texas

[Notary Stamp/Seal]

[Grantor Signature Pages Continued on Next Page]



GRANTOR:

Wilbur R. Cleaves
WILBUR R. CLEAVES

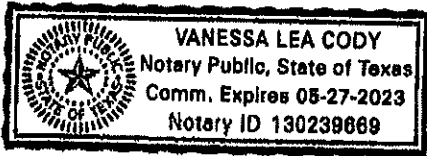
Wilbur R. Cleaves TTE
**WILBUR R. CLEAVES, TRUSTEE OF THE
WILBUR R. CLEAVES NONEXEMPT TRUST
II**

Wilbur R. Cleaves TTE
**WILBUR R. CLEAVES, TRUSTEE OF THE
WILBUR R. CLEAVES 1993 NONEXEMPT
TRUST**

Wilbur R. Cleaves TTE
**WILBUR R. CLEAVES, TRUSTEE OF THE
WILBUR R. CLEAVES 1993 EXEMPT TRUST**

STATE OF TEXAS §
 §
COUNTY OF Williamson §

This instrument was acknowledged before me on November 14th, 2019, by **WILBUR R. CLEAVES**, individually and as **TRUSTEE OF (I) WILBUR R. CLEAVES NONEXEMPT TRUST II, (II) WILBUR R. CLEAVES, 1993 NONEXEMPT TRUST AND (III) WILBUR R. CLEAVES 1993 EXEMPT TRUST.**



[Notary Stamp/Seal]

Vanessa Lea Cody
Notary Public in and for the State of Texas

[Grantor Signature Pages Continued on Next Page]

GRANTOR:



CATHERINE CLEAVES MAHON



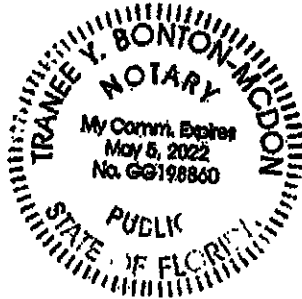
**CATHERINE CLEAVES MAHON, TRUSTEE
OF THE CATHERINE CLEAVES MAHON
1993 NONEXEMPT TRUST**



**CATHERINE CLEAVES MAHON, TRUSTEE
OF THE CATHERINE CLEAVES MAHON
1993 EXEMPT TRUST**

STATE OF ~~TEXAS~~ ^{Florida} ^{Ten} §
COUNTY OF ~~Miami-Dade~~ §

This instrument was acknowledged before me on November 19, 2019, by CATHERINE CLEAVES MAHON, individually and as TRUSTEE OF (I) CATHERINE CLEAVES MAHON 1993 NONEXEMPT TRUST AND (II) CATHERINE CLEAVES MAHON 1993 EXEMPT TRUST.



[Notary Stamp/Seal]


Notary Public in and for the State of ~~Texas~~ ^{Florida} ^{Ten}

Exhibit A - Property
Exhibit B - Permitted Encumbrances

**Exhibit A
to
Special Warranty Deed**

Property

See attached.

All of that certain 96.944 acres (4,222,898 square feet) tract or parcel of land situated in the **MARY FABREAU SURVEY, Abstract Number 69**, Galveston County, Texas, said 96.944 acres tract being all of that same tract, called 97.00 acres, described in that certain Special Warranty Deed from Janet Cleaves Acord, Trustee, to Cypress Creek Holdings, Ltd. recorded in Clerk's File Number 2011019071 of the Official Public Records of Galveston County, Texas, said 96.944 acres tract being more particularly described by metes and bounds as follows, with all bearings based on the Texas State Plane Coordinate System, South Central Zone:

BEGINNING at an iron rod with cap stamped "Wilson" found for the most Northerly corner of said 97.00 acres tract, said point being the most Easterly corner of Reserve "B" of **EAGLE LAKES, SECTION 5**, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 554-555, and being at the Southwest line of **FALCON RIDGE, SECTION THREE**, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 282, both recorded in the Office of the County Clerk of Galveston County, Texas, and being at the Northeasterly line of said **MARY FABREAU SURVEY**, the same being the Southwesterly line of the **SARAH McKISSICK SURVEY, Abstract Number 151**, Galveston County, Texas;

THENCE, S 48°14'56" E, a distance of 60.26 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the Northeast corner of said 97.00 acres tract, said point being the Northeasterly corner of said **MARY FABREAU SURVEY**; being the most Southerly corner of said **SARAH McKISSICK SURVEY**; being a Westerly corner of the **JOHN DICKINSON SURVEY, Abstract Number 9**, Galveston County, Texas; being the most Westerly corner of Restricted Reserve "D" of **WEST RANCH WEST LAKE SECTION TWO**, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Plat Record 2012A, Map Number 56-57 in the Office of the County Clerk of Galveston County, Texas, and from which a found 2 inch iron pipe bears S 61°39' E, 0.86 feet;

THENCE, S 03°06'17" E, along the West line of said **WEST RANCH WEST LAKE SECTION TWO**; of **WEST RANCH WEST LAKE SECTION THREE**, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Plat Record 2013A, Map Number 97-98; of **WEST RANCH LAKESIDE SECTION TWO**, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Plat Record 2014A, Map Number 54-55; and of **SIERRA AT WEST RANCH SECTION ONE**, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Plat Record 2014A, Map Number 11-13, all recorded in the Office of the County Clerk of Galveston County, Texas, and along the West line of said **JOHN DICKINSON SURVEY**, a distance of 2916.74 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the most Southerly East corner of both said 97.00 acres tract and of said **MARY FABREAU SURVEY**, said point also being the most Northerly corner both the **L&G.N.R.R. COMPANY SURVEY NUMBER 4**, Abstract Number 608, Galveston County, Texas, and of a called 941.89 acres tract described in that certain Correction Deed from Neva Watkins West to Wesley West Cattle Company recorded in Clerk's File Number 9222784 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE, S 41°52'16" W, along the Southeasterly line of said **MARY FABREAU SURVEY** and a Northwesterly line of both said **L&G.N.R.R. COMPANY SURVEY NUMBER 4** and of said 941.89 acres tract, a distance of 928.48 feet to a 5/8 inch iron rod found for the most Southerly corner of said 97.00 acres tract, said point also being the most Easterly corner of a called 194.21 acres tract, called Tract "A", described in that certain Special Warranty Deed from the Estate of George A. Bofysil, Jr. to Yellowstone Hill Country Ranching, LLC recorded in Clerk's File Number 2010059686 of the Official Public Records of Galveston County, Texas;

THENCE, N 48°07'44" W, a distance of 2122.93 feet to a 5/8-inch iron rod found for the most Westerly corner of said 97.00 acres tract, said point being a reentrant corner of said 194.21 acres tract;

THENCE, N 41°53'32" E, along the Northwest line of said 97.00 acres tract, at 550.62 feet passing a North corner of said 194.21 acres tract, and continuing along the Southeast line of **DOMINION AT FRIENDSWOOD LAKES**, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Plat Record 2011A, Map Number 53-54; of **EAGLE LAKES SECTION 6**, a

Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Volume 18, Page 770, both in the Office of the County Clerk of Galveston County, Texas; and of said EAGLE LAKES SECTION 5, a distance of 2991.68 feet to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 96.944 acres (4,222,898 square feet).

SAVE AND EXCEPT the 4.994-acre tract described on the following pages:

**City of Friendswood
Proposed Friendswood Lakes Boulevard
Right-of-Way
4.994 Acres**

**Mary Fabreau Survey
Abstract No. 69**

STATE OF TEXAS §

COUNTY OF GALVESTON §

METES AND BOUNDS DESCRIPTION of a 4.994-acre tract in the Mary Fabreau Survey, Abstract No. 69 in Galveston County, Texas. Said 4.994-acre tract is in a 97.00-acre tract of land described in a deed to Cypress Creek Holdings, Ltd. as recorded in Clerk's File No. 2011019071 in the Galveston County Clerk's Office and is more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the most southerly corner of Reserve "A" of the Dominion at Friendswood Lakes Subdivision as recorded in Clerk's File No. 2011033977 in the Galveston County Clerk's Office, said point bears North 41°53'46" East a distance of 551.04 feet from the most westerly corner of said 97.00-acre tract;

THENCE, South 49°21'36" East, along the proposed north right-of-way line of Friendswood Lakes Boulevard (based on a width of 100-feet) for a distance of 629.33 feet to the point of curvature of a curve to the left;

THENCE, continuing along the proposed north line of said Friendswood Lakes Boulevard and with said curve to the left, having a radius of 2,000.00 feet, a central angle of 16°24'09", (chord bears South 57°33'40" E, 570.61 feet), for an arc length of 572.56 feet to the point of tangency;

THENCE, South 65°45'45" East, continuing along the proposed north line of said Friendswood Lakes Boulevard for a distance of 956.60 feet to a point in an easterly line of the aforementioned 97.00-acre tract, same being the easterly line of the aforementioned Mary Fabreau Survey and westerly line of the John Dickinson Survey, Abstract No. 9;

THENCE, South 03°06'02" East, along an easterly line of said 97.00-acre tract, same being the easterly line of said Mary Fabreau Survey, for a distance of 26.92 feet to an angle point of said 97.00-acre tract, said point is the northeasterly corner of the I. & G.N. R.R. Survey No. 4, Abstract No. 608;

THENCE, South 41°52'31" West, along the most southerly east line of said 97.00-acre tract, same being the common line between said Mary Fabreau Survey and said I. & G.N. R.R. Survey No. 4, for a distance of 79.84 feet to a point in the proposed south line of the aforementioned Friendswood Lakes Boulevard;

THENCE, North 65°45'45" West, along the proposed south line of said Friendswood Lakes Boulevard for a distance of 944.78 feet to the point of curvature of a curve to the right;

THENCE, continuing along the proposed south line of said Friendswood Lakes Boulevard, and with said curve to the right, having a radius of 2,100.00 feet, a central angle of 16°24'09", (chord bears North 57°33'40" West, 599.14 feet), for an arc length of 601.19 feet to the point of tangency;

THENCE, North 49°21'36" West, continuing along the proposed south line of said Friendswood Lakes Boulevard for a distance of 631.52 feet to a point in the westerly line of the aforementioned 97.00-acre tract, same being an interior line of a 194.21-acre tract of land (called "Tract A") described in a deed to Yellowstone Hill Country Ranching, LLC as recorded in Clerk's File No. 2010059686 in the Galveston County Clerk's Office;

THENCE, North 41°53'46" East, along the westerly line of said 97.00-acre tract, same being an easterly line of said 194.21-acre tract, for a distance of 100.02 feet to the POINT OF BEGINNING, containing a computed area of 4.994-acres (217,559 square feet).

**Exhibit B
to
Special Warranty Deed**

Permitted Exceptions

1. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded in Volume 1177, Page 89 of the Deed Records of Galveston County, Texas.
2. An easement granted to Community Public Service Company set forth in instrument recorded in Volume 1749, Page 930 of the Deed Records of Galveston County, Texas.
3. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded in Volume 2355, Page 463 of the Deed Records of Galveston County, Texas.
4. Sanitary sewer easement granted in instrument recorded under Clerk's File No. 9310668 of the Official Public Records of Galveston County, Texas.
5. Water line easement granted in instrument recorded under Clerk's File No. 9518955 of the Official Public Records of Galveston County, Texas.
6. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded under Clerk's File No. 20000035479 of the Official Public Records of Galveston County, Texas.
7. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument recorded under Clerk's File No. 20000035480 of the Official Public Records of Galveston County, Texas.
8. Easement and right of way granted to Exxon Pipeline Company in instrument recorded under Clerk's File No. 2000064554, subsequently assigned to South Texas NGL Pipelines, LLC, as reflected in instrument recorded under Clerk's File No. 2007067030 of the Official Public Records of Galveston County, Texas.
9. Maintenance and construction easements granted to Exxon Pipeline Company in instrument recorded under Clerk's File No. 2000064554 of the Official Public Records of Galveston County, Texas.
10. Electric distribution easement granted to Texas-New Mexico Power Company in instrument recorded under Clerk's File No. 2005010196 of the Official Public Records of Galveston County, Texas.

FILED AND RECORDED

Instrument Number: 2019064239

Recording Fee: 84.75

Number Of Pages:16

Filing and Recording Date: 11/20/2019 3:40PM

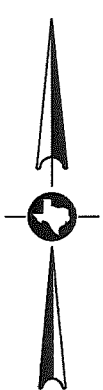
I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in cursive script, reading "Dwight D. Sullivan".

Dwight D. Sullivan, County Clerk
Galveston County, Texas

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*



0' 200' 400' 600'
SCALE: 1"=200'

LEGEND

- OPEN CABLE TELEVISION PEDESTAL
- FH FIRE HYDRANT
- MH MANHOLE
- PLM PIPELINE MARKER
- PP POWER POLE
- UT UNDERGROUND TELEPHONE CABLE MARKER
- VV UTILITY VAULT
- WV WATER VALVE
- AC ACRES
- EOW EDGE OF WATER
- ESMT. EASEMENT
- FND. FOUND
- G.C.C.F. GALVESTON COUNTY CLERK'S FILE
- G.C.D.R. GALVESTON COUNTY DEED RECORDS
- G.C.M.R. GALVESTON COUNTY MAP RECORDS
- I.P. IRON PIPE
- I.R. IRON ROD
- PG. PAGE
- PLAT REC. PLAT RECORD
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- SQ. FT. SQUARE FEET
- VOL. VOLUME
- W/ WITH
- BARBED WIRE FENCE
- WOODEN FENCE
- WROUGHT IRON FENCE, UNLESS OTHERWISE NOTED

CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	25.00'	90°11'52"	39.36'	N 04°42'28" W	35.42'
C2	25.00'	89°54'23"	39.23'	S 85°54'55" W	35.33'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 48°08'53" W	194.41'
L2	S 48°14'56" E	60.26'
L3	N 49°08'24" W	59.96'
L4	S 03°06'17" E	88.75'
L5	S 03°06'17" E	188.46'
L6	N 56°50'16" E	18.49'
L7	N 03°06'17" W	112.75'

DAVID FAHEY SUBDIVISION
OF THE
MARY FABREAU SURVEY
(VOL. 118, PG. 415, G.C.D.R.)

TRACT A
(CALLED 194.21 AC.)
ESTATE OF GEORGE A. BOFYSIL, JR.
TO
YELLOWSTONE HILL COUNTRY RANCHING, LLC
(G.C.C.F. #2010059866)

P.O.B. - TR. 1
FND. 5/8" I.R.

TRACT 1
59,521 Acres
(2,592,729 Sq. Ft.)

TRACT 2
26,921 Acres
(1,172,660 Sq. Ft.)

I.&G.N.R.R. COMPANY SURVEY
NUMBER 5, ABSTRACT NO. 622

GEORGE A. BOFYSIL ESTATE
I.&G.N.R.R. SURVEY, SECTION 5,
ABSTRACT NUMBER 622

MARY FABREAU SURVEY,
TRACT A
ABSTRACT NO. 69

I.&G.N.R.R. COMPANY SURVEY
NUMBER 4, ABSTRACT NO. 608

To Taylor Morrison of Texas, Inc; Yellowstone Hill Country Ranching, LLC; and First American Title Guaranty Company.

This is to attest that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 13, and 14 of Table A thereof. The fieldwork was completed on September 12, 2018.

Date of Plat or Map: October 30, 2019

GeoSurv, LLC

Dale L. Hardy
Registered Professional
Land Surveyor 4847

NOTES:

- 1.) A separate exhibit containing the metes and bounds descriptions of the herein surveyed tracts is attached hereto and made a part hereof for all purposes.
- 2.) This property lies in Zone X, defined by FEMA as areas of minimal flood hazard, as scaled from Flood Insurance Rate Map (FIRM) Number 48167020202, effective date August 15, 2019.
- 3.) This survey has been prepared based on Title Commitment provided by First American Title Guaranty Company, G.F. #TMH-TX-1978187LA, issued October 10, 2019.
- 4.) Bearings shown hereon are based on Texas State Plane Coordinates, South Central Zone.
- 5.) At the time of this survey, the herein surveyed tracts have no access to dedicated public right-of-way.
- 6.) Tracts 1 lies within the incorporated limits of the City of Friendswood. Tract 2 lies within the incorporated limits of the City of League City.



P.O. Box 246, League City, Texas 77574
281-554-7739 409-765-6030 Fax: 281-554-6928
Firm No.: 10040100

TRACT 1

All of that certain 59.521 acres (2,592,729 square feet) tract or parcel of land situated in the **MARY FABREAU SURVEY, Abstract Number 69**, Galveston County, Texas, said 59.521 acres tract being out of and a part of a called 194.21 acres tract, called Tract "A", described in that certain Special Warranty Deed from the Estate of George A. Bofysil, Jr. to Yellowstone Hill Country Ranching, LLC recorded in Clerk's File Number 2010059686 of the Official Public Records of Galveston County, Texas, said 59.521 acres tract being more particularly described by metes and bounds as follows, with all bearings based on the Texas State Plane Coordinate System, South Central Zone:

COMMENCING at an iron rod with cap stamped "Wilson" found for the most Northerly corner of that same tract, called 97.00 acres, described in that certain Special Warranty Deed from Janet Cleaves Acord, Trustee, to Cypress Creek Holdings, Ltd. recorded in Clerk's File Number 2011019071 of the Official Public Records of Galveston County, Texas, said point being the most Easterly corner of Reserve "B" of EAGLE LAKES, SECTION 5, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 554-555, and being at the Southwest line of FALCON RIDGE, SECTION THREE, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 282, both recorded in the Office of the County Clerk of Galveston County, Texas, and being at the Northeasterly line of said **MARY FABREAU SURVEY**, the same being the Southwesterly line of the SARAH McKISSICK SURVEY, Abstract Number 151, Galveston County, Texas;

THENCE, S 41°53'32" W, along the Northwesterly line of said 97.00 acres tract and the Southeasterly line of said EAGLE LAKES SECTION 5; of EAGLE LAKES SECTION 6, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Volume 18, Page 770; and of DOMINION AT FRIENDSWOOD LAKES, a Subdivision in Galveston County, Texas, according to the map of plat thereof recorded in Plat Record 2011A, Map Number 53-54, both in the Office of the County Clerk of Galveston County, Texas, a distance of 2991.68 feet to a 5/8 inch iron rod found for the **POINT OF BEGINNING** and most Northerly corner of the herein described tract, said point being a reentrant corner of said 194.21 acres tract and the most Westerly corner of said 97.00 acres tract;

THENCE, S 48°07'44" E, a distance of 2122.93 feet to a 5/8 inch iron rod found for the most Easterly corner of both the herein described tract and of said 194.21 acres tract, said point also being the most Southerly corner of said 97.00 acres tract, being at the Southeasterly line of said **MARY FABREAU SURVEY**, being at Northwesterly line of both the I.&G.N.R.R. COMPANY SURVEY NUMBER 4, Abstract Number 608, Galveston County, Texas, and of a called 941.89 acres tract described in that certain Correction Deed from Neva Watkins West to Wesley West Cattle Company recorded in Clerk's File Number 9222784 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE, S 41°51'19" W, a distance of 1220.64 feet to an 1/2-inch iron rod found for the most Southerly corner of the herein described tract, of said 194.21 acres tract, and of said **MARY FABREAU SURVEY**, said point also being a reentrant corner of both said I.&G.N.R.R. COMPANY SURVEY NUMBER 4 and of said 941.89 acres tract;

THENCE, N 48°08'53" W, along the Southwesterly line of both said 194.21 acres tract and of said **MARY FABREAU SURVEY**, a distance of 194.41 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set for angle point to the right, said point also being the Northeast corner of a called 26.92 acres tract, called Tract "B", described in the aforementioned Yellowstone Hill Country Ranching, LLC Special Warranty Deed, and being a North corner of both said I.&G.N.R.R. COMPANY SURVEY NUMBER 4 and of said 941.89 acres tract;

THENCE, N 48°08'48" W, along the Southwesterly line of said 194.21 acres tract, a distance of 1389.92 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set for angle point to the left, said point also being the Northwest corner of said 26.92 acres tract and being the Northeast corner of THE LAKES AT SAN

JOAQUIN SECTION ONE, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 1302 in the Office of the County Clerk of Galveston County, Texas; **THENCE**, N 48°13'48" W, along the Southwesterly line of said 194.21 acres tract and the Northeasterly line of said THE LAKES AT SAN JOAQUIN SECTION ONE, a distance of 539.38 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the most Westerly corner of the herein described tract; **THENCE**, N 41°53'32" E, a distance of 1222.09 feet to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 59.521 acres (2,592,729 square feet) of land.

TRACT 2

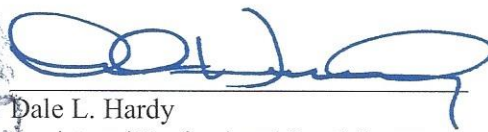
All of that certain 26.921 acres, (1,172,660 square feet) tract or parcel of land situated in the **I.&G.N.R.R. COMPANY SURVEY NUMBER 5, Abstract Number 622**, Galveston County, Texas, said 26.921 acres tract being all of that same certain tract, called 26.92 acres tract, called Tract "B", described in that certain Special Warranty Deed from the Estate of George A. Bofysil, Jr. to Yellowstone Hill Country Ranching, LLC recorded in Clerk's File Number 2010059686 of the Official Public Records of Galveston County, Texas, said 26.921 acres tract being more particularly described by metes and bounds as follows, with all bearings based on the Texas State Plane Coordinate System, South Central Zone:

COMMENCING at an iron rod with cap stamped "Wilson" found for the most Northerly corner of that same tract, called 97.00 acres, described in that certain Special Warranty Deed from Janet Cleaves Acord, Trustee, to Cypress Creek Holdings, Ltd. recorded in Clerk's File Number 2011019071 of the Official Public Records of Galveston County, Texas, said point being the most Easterly corner of Reserve "B" of EAGLE LAKES, SECTION 5, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 554-555, and being at the Southwest line of FALCON RIDGE, SECTION THREE, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 282, both recorded in the Office of the County Clerk of Galveston County, Texas, and being at the Northeasterly line of said **MARY FABREAU SURVEY**, the same being the Southwesterly line of the SARAH McKISSICK SURVEY, Abstract Number 151, Galveston County, Texas;

THENCE, S 41°53'32" W, along the Northwesterly line of said 97.00 acres tract and the Southeasterly line of said EAGLE LAKES SECTION 5; of EAGLE LAKES SECTION 6, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 770; and of DOMINION AT FRIENDSWOOD LAKES, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2011A, Map Number 53-54, both in the Office of the County Clerk of Galveston County, Texas, at 2991.68 feet passing a 5/8 inch iron rod found for the most Westerly corner of said 97.00 acres tract and for a reentrant corner of a called 194.21 acres tract, called Tract "A", described in the aforementioned Yellowstone Hill Country Ranching, LLC Special Warranty Deed, and continuing for a total distance of 4213.77 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking a corner, said point being at the Southwesterly line of said 194.21 acres tract; **THENCE**, S 48°13'48" E, along the Southwesterly line of said 194.21 acres tract and the Northeasterly line of THE LAKES AT SAN JOAQUIN SECTION ONE, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 1302 in the Office of the County Clerk of Galveston County, Texas, a distance of 539.38 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the **POINT OF BEGINNING**, said point also being the most Northerly corner of said 26.92 acres tract and being the Northeast corner of said THE LAKES AT SAN JOAQUIN SECTION ONE; **THENCE**, S 48°08'48" E, along the Southwesterly line of said 194.21 acres tract, a distance of 1389.92 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the Northeast corner of said 26.92 acres tract, said point also being a Northeast corner of said the **I.&G.N.R.R. COMPANY SURVEY NUMBER 5** and being a North corner of both the I.&G.N.R.R. COMPANY SURVEY NUMBER 4,

Abstract Number 608, Galveston County, Texas, and of a called 941.89 acres tract described in that certain Correction Deed from Neva Watkins West to Wesley West Cattle Company recorded in Clerk's File Number 9222784 of the Official Public Records of Real Property of Galveston County, Texas;
THENCE, S 02°24'41" E, along the East line of said **I.&G.N.R.R. COMPANY SURVEY NUMBER 5** and a West line of both said I.&G.N.R.R. COMPANY SURVEY NUMBER 4 and of said 941.89 acres tract, a distance of 740.89 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the Southeast corner of said 26.92 acres tract;
THENCE, S 86°15'05" W, a distance of 927.38 feet to a 5/8-inch iron rod with cap stamped "GeoSurv" set marking the Southwest corner of said 26.92 acres tract, said point also being at the Southeast corner of the FINAL AMENDED PLAT OF THE LAKE AT SAN JOAQUIN SECTION 2, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2009A, Map Numbers 66-67 in the Office of the County Clerk of Galveston County, Texas, and from which point a found iron rod with cap stamped "RPLS #5007" bears N 47°28' E, 0.48 feet;
THENCE, N 04°39'59" W, along the West line of said 26.92 acres tract and the East line of said FINAL AMENDED PLAT OF THE LAKE AT SAN JOAQUIN SECTION 2 and of said THE LAKES AT SAN JOAQUIN SECTION ONE, a distance of 1734.00 feet to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 26.921 acres, (1,172,660 square feet) of land.




Dale L. Hardy
Registered Professional Land Surveyor
Texas Registration Number 4847

PREPARED
OCTOBER 30, 2019
BY

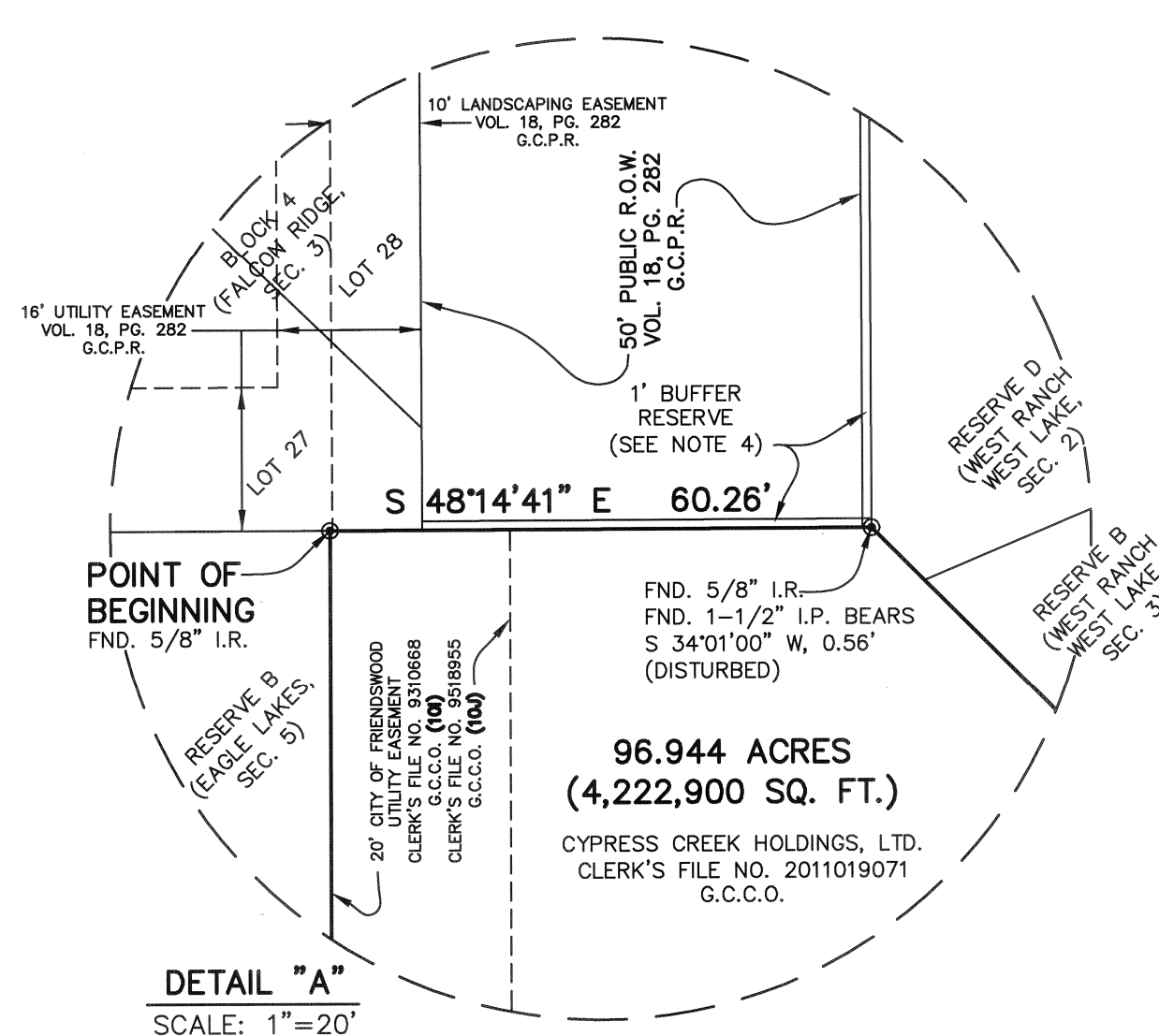
DALE L. HARDY / GEOSURV, LLC
REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 246, LEAGUE CITY, TEXAS 77574

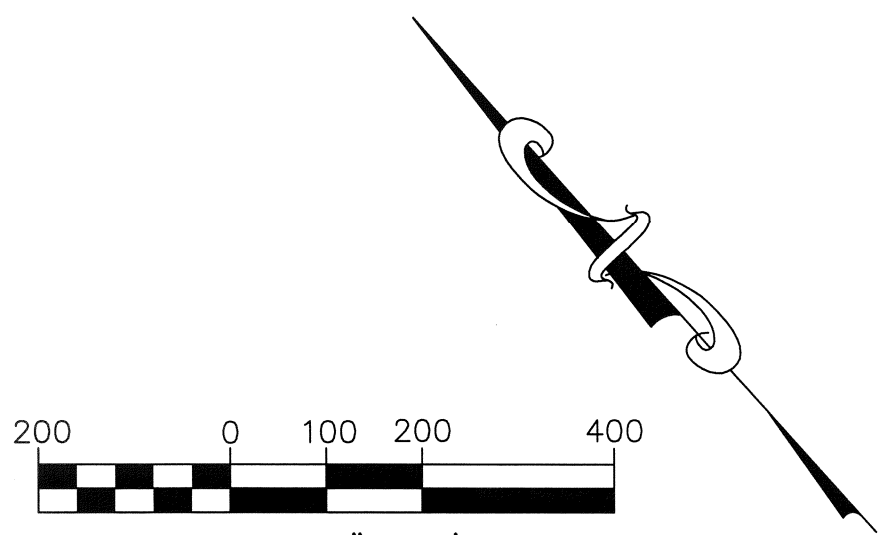
PH 281-554-7739 FAX 281-554-6928 E-MAIL: dhardy@geosurvllc.com

FIRM NO. 10040100

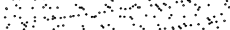
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THENCE, North 41°53'46" East, along the west line of said 97.00-acre tract, some being an interior line of said 194.21-acre tract, at a distance of 551.04 feet pass a 1/2-inch iron rod found for the southeast corner of the Dominion at Friendswood Lake Subdivision as recorded in Clerk's File No. 2010133977 in the Galveston County Clerk's Office, at a distance of 137.15 feet pass a 5/8-inch iron rod found for the northeast corner of said Dominion at Friendswood Lake Subdivision as recorded in Clerk's File No. 2010133977 in the Galveston County Clerk's Office, Section 6 subdivision as recorded in Volume 18, Page 770 in the Galveston County Plat Records, at a distance of 2,226.96 feet pass a 5/8-inch iron rod found for the northeast corner of said Eagle Lake, Section 6, same being the southeast corner of Eagle Lake, Section 5 subdivision as recorded in Volume 18, Page 654 in the Galveston County Plat Records, continuing a true course and distance of 2,938 feet to the POINT OF BEGINNING, containing a computed area of 96.944-acre (4,222.900 square feet).



LEGEND

G.C.D.R.	GALVESTON COUNTY DEED RECORDS
G.C.C.D.	GALVESTON COUNTY CLERK'S OFFICE
G.C.P.R.	GALVESTON COUNTY PLAT RECORDS
U.E.	UTILITY EASEMENT
W.L.E.	WATERLINE EASEMENT
R.C.P.	REINFORCED CONCRETE PIPE
(C.M.)	CONTROL MONUMENT
I.P.	IRON PIPE
I.R.	IRON ROD
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
(10A)	SCHEDULE "B" ITEM REFERENCE
	ENTERPRISE PIPELINE MARKER
	FIRE HYDRANT
	MANHOLE
	POWER POLE
	WATER VALVE
	WATER METER
	OVERHEAD ELECTRICAL
	WOOD FENCE
	CONCRETE PAVING

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

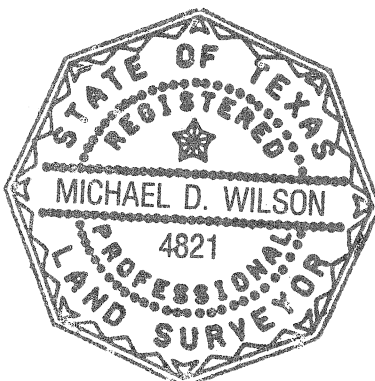
2. THIS SURVEY HAS BEEN PREPARED UTILIZING A COMMITMENT FOR TITLE INSURANCE PREPARED BY FIRST AMERICAN TITLE GUARANTY COMPANY, LTD., G.F. # TWH-T-1875282LA, HAVING AN EFFECTIVE DATE OF JULY 23, 2018.

3. THE SOUTH TEXAS NGI PIPELINES, LLC EASEMENT RECORDED IN CLERK'S FILE NO. 2007067030 WAS PREVIOUSLY ASSIGNED BY CLERK'S FILE NO. #9913848, 2000064554 (10N) AND 2006059599 IN THE GALVESTON COUNTY CLERK'S OFFICE. THE METES AND BOUNDS DESCRIPTION FOR THIS EASEMENT DID NOT INCLUDE THE CORNER.

4. AT THE TIME OF THIS SURVEY, THE SUBJECT TRACT HAS NO PUBLIC RIGHT-OF-WAY ACCESS. THE CORNER IS LOCATED ON THE FINAL PLAT OF FALCON RIDGE, SECTION THREE, RECORDED IN VOLUME 18, PAGE 282 GALVESTON COUNTY PLAT RECORDS AND THE FINAL PLAT OF FRIENDSWOOD LAKES BOULEVARD RECORDED IN VOLUME 18, PAGE 2833870 IN THE GALVESTON COUNTY PLAT RECORDS. THE PORTIONS OF THE ONE FOOT WIDE BUFFER RESERVES ADJACENT TO THE SUBJECT TRACT SHALL BECOME VESTED IN THE PUBLIC FOR RIGHT-OF-WAY PURPOSES WITH THE PLATTING OF THE SUBJECT TRACT.

5. FENCELINE DIMENSIONS SHOWN HEREON ARE SHOWN ON THE SIDE OF THE PROPERTY LINE THAT THE FENCES ARE ON.

6. ALL SET RODS HAVE PLASTIC CAPS STAMPED "WILSON SURVEY GROUP".



MICHAEL D. WILSON R.P.L.S.

08/02/18	DATE SURVEYED	C.L.H.
	THE WILSON SURVEY GROUP PROFESSIONAL LAND SURVEYORS 2006 E. BROADWAY PEARLAND, TEXAS (281) 485-3991 T.B.P.L.S. FIRM NO. 10014900	CAD FILE 18-148.DWG PLOT 06/23/18 DWN C.L.H. CKD APPD M.D.W. SCALE 1"=200' JOB NO. 18-148 SHEET 1 OF 1
	TAYLOR MORRISON OF TEXAS, INC	
	ALTA / NSPS LAND TITLE SURVEY OF A 96.944 ACRE TRACT IN THE MARY FABREAU SURVEY, ABSTRACT NO. 69, GALVESTON COUNTY, TEXAS	

Taylor Morrison of Texas, Inc.
96.944 Acres

Mary Fabreau Survey
Abstract No. 69

STATE OF TEXAS §

COUNTY OF GALVESTON §

METES AND BOUNDS DESCRIPTION of a 96.944-acre tract in the Mary Fabreau Survey, Abstract No. 69 in Galveston County, Texas. Said 96.944-acre tract is all of a 97.00-acre tract of land described in a deed to Cypress Creek Holdings, Ltd. as recorded in Clerk's File No. 2011019071 in the Galveston County Clerk's Office and is more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found for the northwest corner of said 97.00-acre tract, said point is in the southwest line of the Falcon Ridge, Section Three Subdivision as recorded in Volume 18, Page 282 in the Galveston County Plat Records, same being the common survey line between said Mary Fabreau Survey, Abstract No. 69 and the Sarah Mickissick Survey, Abstract No. 151;

THENCE, South 48°14'41" East, along the north line of said 97.00-acre tract, same being said common survey line and is the south line of said Falcon Ridge, Section Three, for a distance of 60.26 feet to a 5/8-inch iron rod found for the most northerly northeast corner of the herein described tract, said point is the west corner of Reserve "B" in the West Ranch West Lake, Section Three Subdivision as recorded in Clerk's File No. 2013072445 in the Galveston County Clerk's Office and is an easterly corner of said Mary Fabreau Survey, same being a westerly corner of the John Dickinson Survey, Abstract No. 9, from which a found 1-1/2-inch iron pipe (disturbed) bears South 34°01'00" West, 0.56 feet;

THENCE, South 03°06'02" East, along east line of said 97.00-acre tract, same being the westerly line of said West Ranch West Lake, Section Three, the westerly line of West Ranch Lakeside, Section Two as recorded in Clerk's File No. 2014032373 in the Galveston County Clerk's Office, the westerly line of Sierra at West Ranch, Section One as recorded in Clerk's File No. 2014009933 in the Galveston County Clerk's Office and is an easterly line of said Mary Fabreau Survey, for a distance of 2,916.74 feet to a 5/8-inch iron rod set for the most easterly northeast corner of the herein described tract, said point is the most northerly corner of a 941.89-acre tract of land called "First Tract" as described in a deed to Wesley West Cattle Company as recorded in Clerk's File No. 9222784 in the Galveston County Clerk's Office and is the north corner of the I. & G.N. R.R. Survey No. 4, Abstract No. 608;

THENCE, South 41°52'31" West, along the southeasterly line of said 97.00-acre tract, same being the southeasterly line of said Mary Fabreau Survey, same being the west line of said I. & G.N. R.R. Survey No. 4 and is a west line of said "First Tract", for a distance of 928.48 feet to a 5/8-inch iron rod found for the southeast corner of the herein described tract, said point is the northeast corner of a 194.21-acre tract of land called "Tract A" as described in a deed to Yellowstone Hill Country Ranching, LLC as recorded in Clerk's File No. 2010059686 in the Galveston County Clerk's Office;

THENCE, North 48°07'29" West, along the south line of said 97.00-acre tract, same being the north line of said 194.21-acre tract, for a distance of 2,122.93 feet to a 5/8-inch iron rod found for the southwest corner of the herein described tract, said point is an interior corner of said 194.21-acre tract;

THENCE, North 41°53'46" East, along the west line of said 97.00-acre tract, same being an interior line of said 194.21-acre tract, at a distance of 551.04 feet pass a 1/2-inch iron rod found for the southeast corner of the Dominion at Friendswood Lakes Subdivision as recorded in Clerk's File No. 2011033977 in the Galveston County Clerk's Office, at a distance of 1,137.15 feet pass a 5/8-inch iron rod found for the northeast corner of said Dominion at Friendswood Lakes subdivision, same being the southeast corner of Eagle Lakes, Section 6 Subdivision as recorded in Volume 18, Page 770 in the Galveston County Plat Records, at a distance of 2,226.96 feet pass a 5/8-inch iron rod found for the northeast corner of said Eagle Lakes, Section 6, same being the southeast corner of Eagle Lakes, Section 5 Subdivision as recorded in Volume 18, Page 554 in the Galveston County Plat Records and continue for a total distance of 2,991.68 feet to the POINT OF BEGINNING, containing a computed area of 96.944-acres (4,222,900 square feet).

Note:

1. Bearings shown hereon are based on the Texas Coordinate System of 1983, South Central Zone.
2. A separate survey plat has been prepared in connection with this metes and bounds description.
3. All set rods were set with cap stamped "Wilson Survey Group"
4. At the time of this survey, the subject tract has no public right-of-way access. as defined on the Final Plat of Falcon Ridge Section Three, recorded in volume 18, page 282 Galveston County Plat Records and the Final Plat of Friendswood Lakes Boulevard recorded in Clerk's File No. 2017033870 in the Galveston County Map Records, the portions of the one foot wide buffer reserves adjacent to the subject tract shall become vested in the public for right-of-way purposes with the platting of the subject tract.

The Wilson Survey Group, Inc.
2006 East Broadway, Suite 103
Pearland, Texas 77581
(281) 485-3991
Job No. 18-148
TBPLS Firm No. 10014900

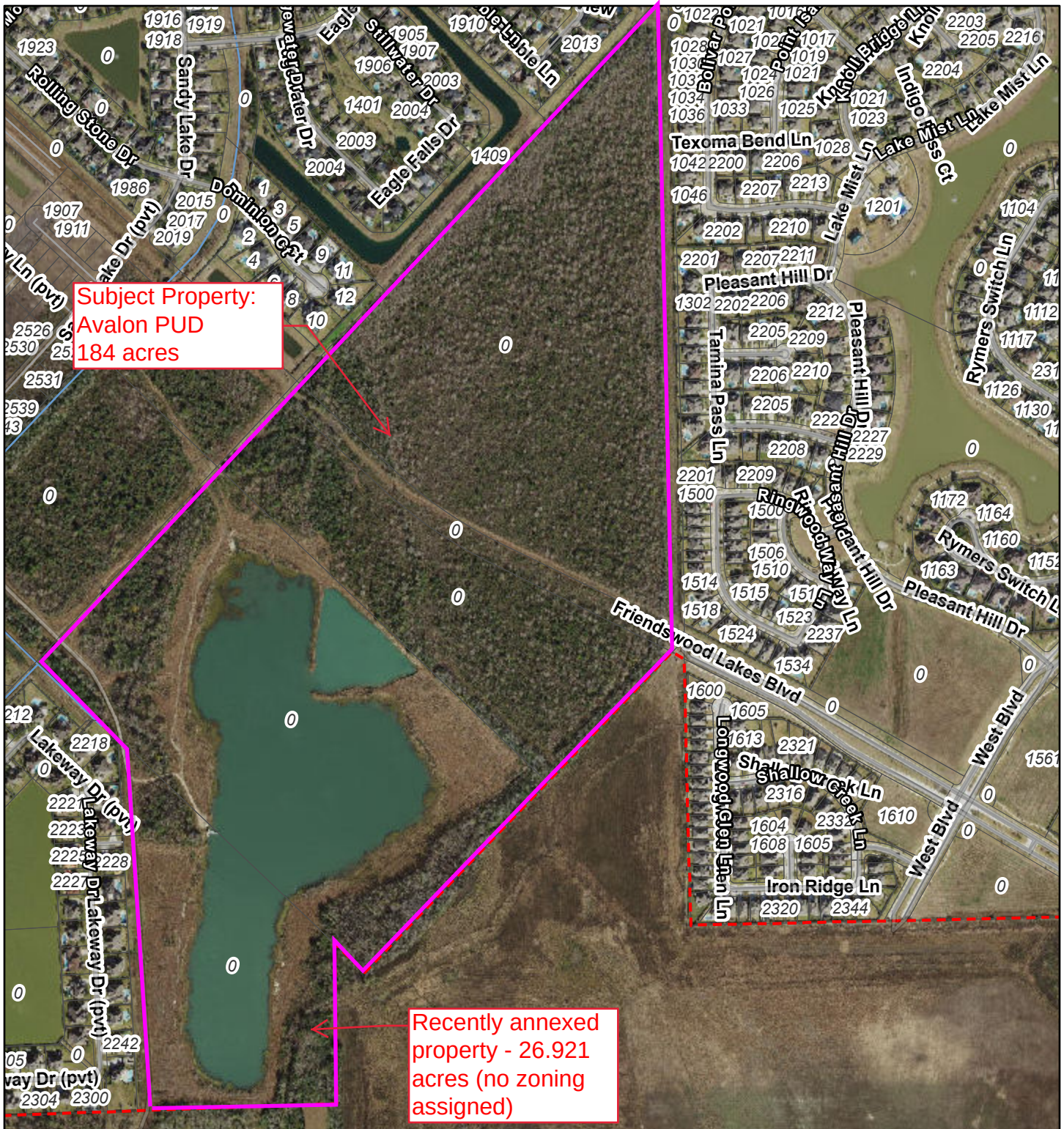

Michael D. Wilson, R.P.L.S.

Registration No. 4821

08/03/18



ArcGIS Web Map



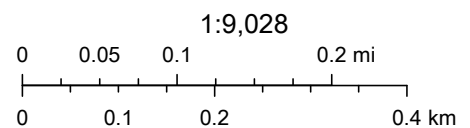
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City Limits

Streets

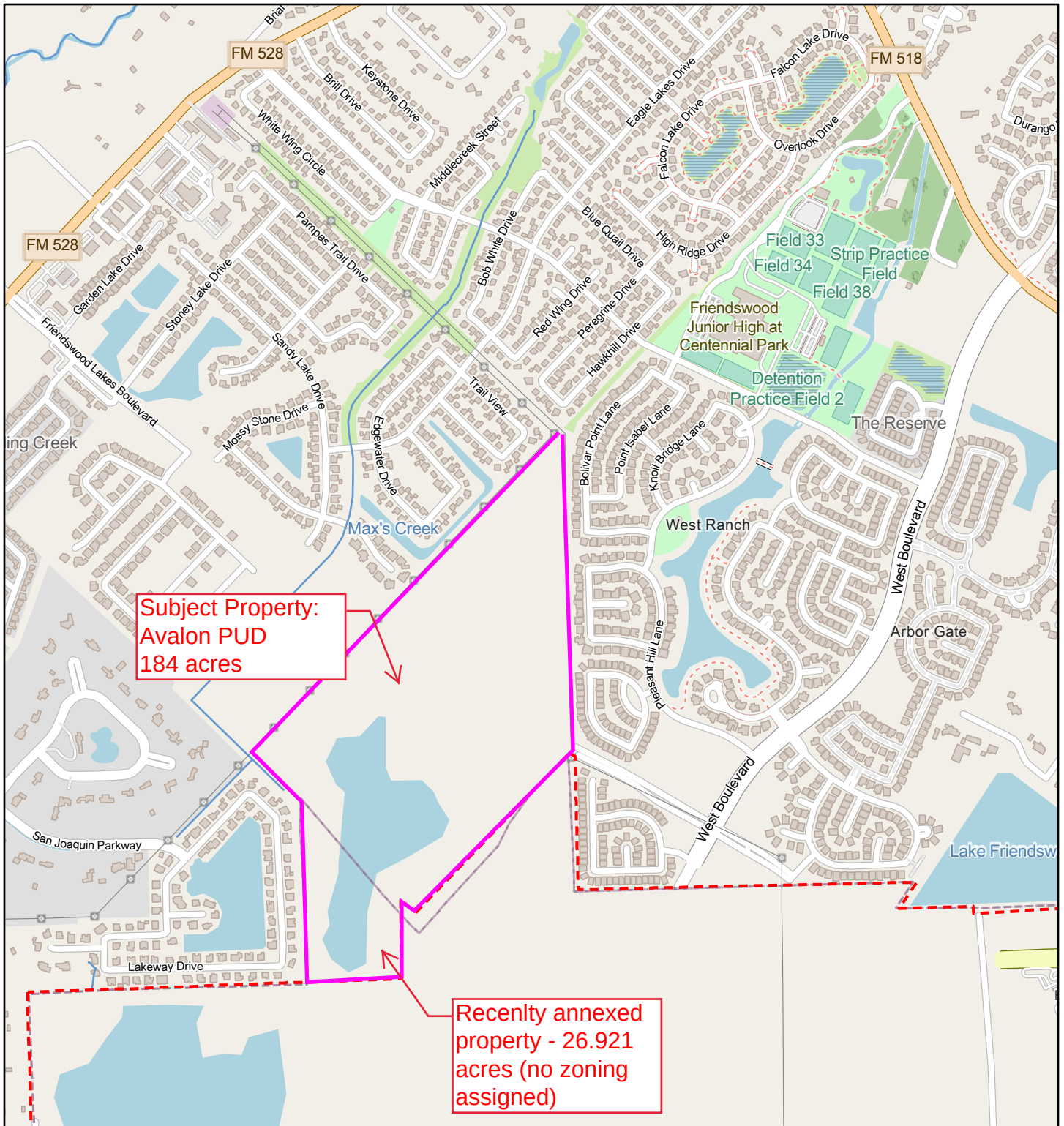
Parcels

All Linear Water Features



Esri Community Maps Contributors, Brazoria County, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

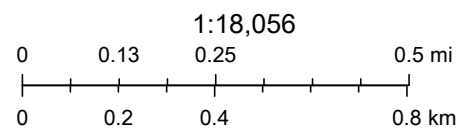
ArcGIS Web Map



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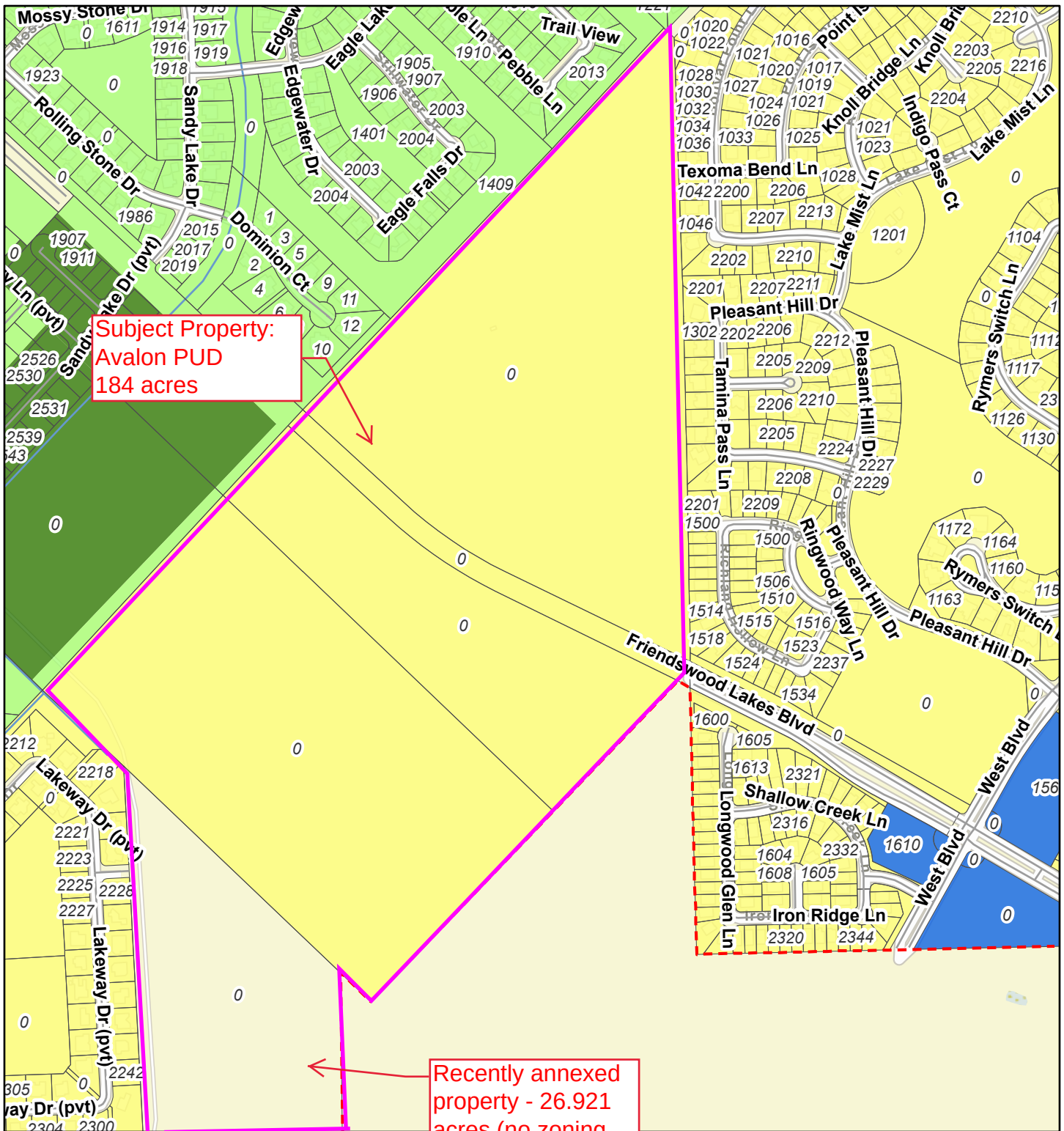
 City Limits

 All Linear Water Features



Map data © OpenStreetMap contributors, Microsoft, Esri Community Maps contributors, Map layer by Esri

ArcGIS Web Map



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 City Limits

Streets

Parcels

All Linear Water Features

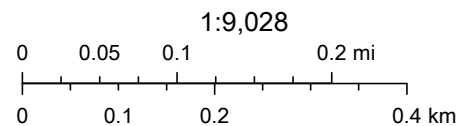
Zoning of Parcels

CSC

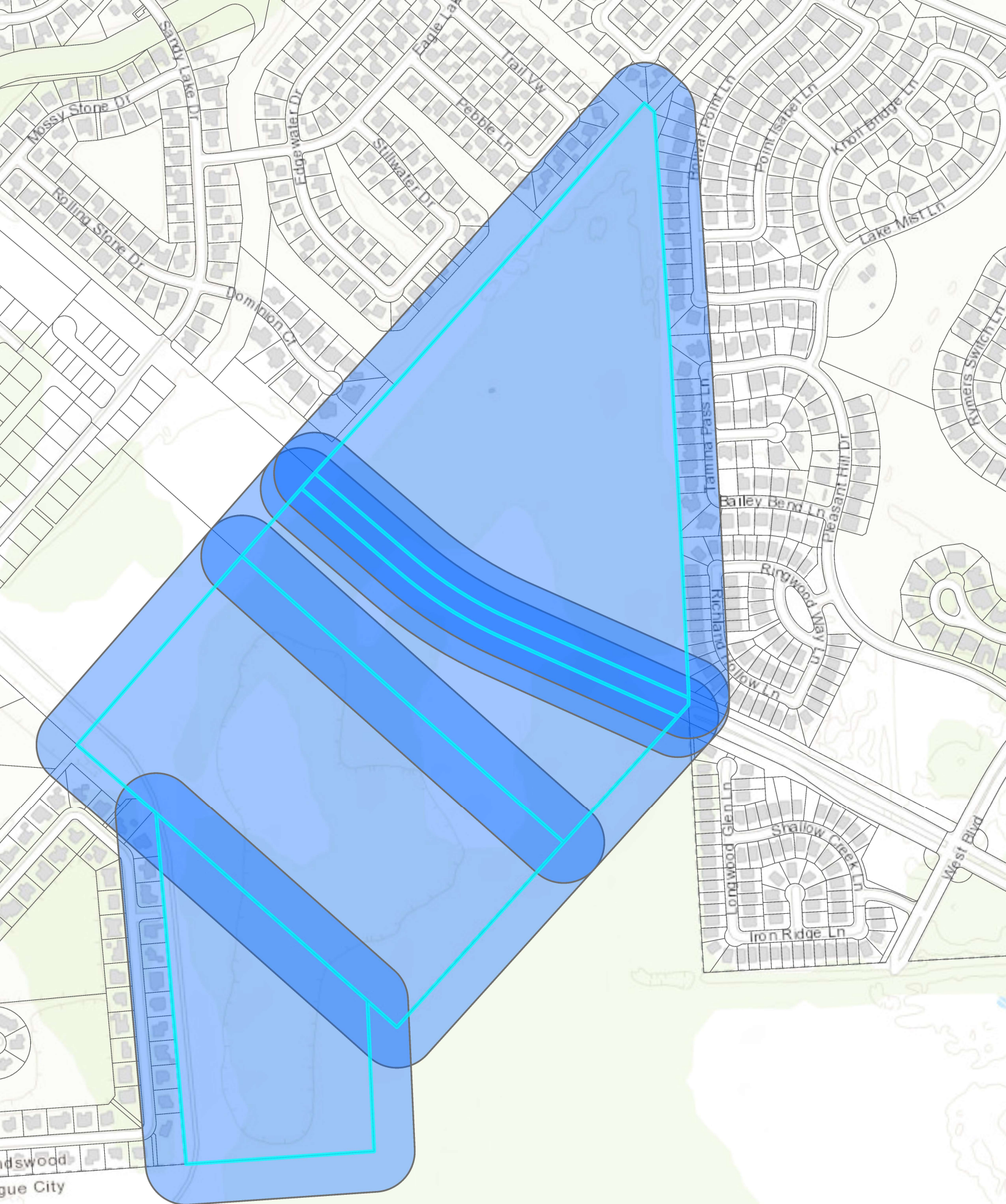
MFR-GHD

PUD

SFR



Esri Community Maps Contributors, Brazoria County, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



CLASSIFIEDS 281-485-7501

LEGALS

Published July 21 & 28, 2021

NOTICE OF REQUEST FOR PROPOSALS

Friendswood Independent School District will accept proposals, for the #21-011 Supply of Electricity, until 3:00 P.M., August 16, 2021 (the "Due Date"). Proposals must be delivered before the Due Date to Friendswood Independent School District, 302 Laurel Drive, Friendswood, TX 77546 as further specified in the proposal (RFP) documents. This request for proposals is for electrical power and also related electrical power demand response and ancillary services as specified and detailed in the proposal documents, which may be obtained from AEG Affiliated Energy Group, Retail Division, fax (214) 292-8514, or email FriendswoodISD@affiliatedenergy.com. Interested parties must request proposal documents at least 24 hours prior to the Due Date. Friendswood ISD reserves the right to accept or reject any or all proposals, waive all informalities or irregularities and award the proposal in the best interest of Friendswood ISD. The proposal process will be conducted in accordance with the proposal procedures as set forth in the Texas Education Code 44.031.

LEGALS

Published July 14 & 21, 2021

CITY OF PEARLAND, TEXAS NOTICE TO BIDDERS

Sealed bids will be received by the City of Pearland Purchasing Division, 3519 Liberty Dr., until **11:00 a.m., CST, Thursday, July 29, 2021** and all bids will be publicly acknowledged by name via virtual meeting. Interested parties may join the meeting by calling into the meeting at: Dial in #: 281-652-1955; Meeting #: 1790#; Access Code #: 0971# on that date for:

TREE MAINTENANCE SERVICES BID NO. 0721-50

Bid forms, specifications and all necessary information may be obtained from the following website: <https://pearland.ionwave.net>. Vendors are encouraged to return the bid response electronically using the City's e-bid system but may submit by hard-copy to City Secretary, with either manner due by the closing date and time stated above.

The City reserves the right to reject any or all bids, or to accept any bid or combination of bids deemed advantageous to it.

Vendors should register on the City's e-bid system at <https://pearland.ionwave.net> (if not already registered). Once registered on the City's e-bid system, bid documents may be viewed on the site. If further assistance is needed, please email ebids@pearlandtx.gov no later than 9:00 a.m. Thursday, July 22, 2021. Make reference to **Bid Number 0721-50**. Bid Closing Date: **July 29, 2021**.

Crystal Roan
City Secretary, City of Pearland

First Publication: July 14, 2021
Second Publication: July 21, 2021

LEGALS

Published July 14 & 21, 2021

NOTICE TO BIDDERS CITY OF PEARLAND, TEXAS

Sealed Bids will be accepted until 2:00 p.m. Thursday, August 5, 2021 and read aloud into the public record for the following project:

Oakbrook & Oakbrook Estates Water Quality City of Pearland, Texas COP PN: WA1906 & WA2003 BID NO.: 0721-52

The project area is located North of Dixie Farm Rd in the Oakbrook and Oakbrook Estates subdivisions. Project address is 2753 Biscayne Bay Dr, Pearland, TX 77584. Streets included in Phase 1 are: Oak Lane Circle, Oak Cluster Circle, Oak Gate Circle, Oakbrook Circle, Oak Fork Circle, Oak Tree Circle, Oak Shire Drive, Castle Oaks Drive, Barretts Glen Drive, and Oak Lodge Drive. Streets included in Phase 2 are: Oak Bent Drive, Branch Hill Drive, Oak Lodge Drive, Scarlet Oak Drive, Oak Top Drive, East Baden Oaks Drive, Dixie Hill Court, Oak Point Court, Bracket Drive, Oak Leaf Circle, Oak Land Circle, Oak Point Drive, Pin Oak Drive N, Oak Place Court, Oak Trace Court, Oak Chase Court, Oak Bark Court, Majestic Oaks Court, and Winding Forest Drive.

The project will entail the addition of approximately 4,500 linear feet of new 6-inch diameter water line construction, and associated valves, connections, appurtenances, hydrostatic testing, and disinfection. The proposed water lines are to be installed by primarily trenchless construction.

A mandatory pre-bid conference will be held at City Hall at 3519 Liberty Dr, Pearland, Texas 77581 at 10:00 a.m. on Thursday, July 22, 2021.

All bids should be submitted through the E-Bid system located on the City's website at: <https://pearland.ionwave.net/Login.aspx>. All interested Bidders are advised to register as a "supplier" on the City's E-Bid System at the above website by clicking on "Supplier Registration" and completing a short registration questionnaire. Electronic Bid Documents, including Plans, Technical Specifications and Bid Forms are available for download after registration is approved by City Purchasing office. No plan fees or deposits are required for bid documents obtained through the City's E-bid System. Questions regarding electronic bidding should be directed to City Purchasing Office at ebids@pearlandtx.gov.

Bid Documents are also available for review at the following plan houses:
Amtek Plan Room (713) 956-0100
The Associated General Contractors of America, Inc. (713) 334-7100
Associated Builders & Contractors of Greater Houston (713) 523-6222
Dodge Reports (713) 316-9411

Bid Security, in the form of Cashier's Check, Certified Check, or Bid Bond, payable to the City of Pearland in the amount of 5% of the total base bid price, must accompany each Bid proposal. See Instructions to Bidders for Bond submittal information and instructions.

The City of Pearland reserves the right to reject any or all bids.

Crystal Roan,
City Secretary, City of Pearland

First Publication date July 14, 2021
Second Publication date July 21, 2021

LEGALS

Published July 21 & 28, 2021

NOTICE TO BIDDERS FRIENDSWOOD I.S.D. RFP #21-010

FISD REQUEST FOR PROPOSAL #21-010 PROMOTIONAL ITEMS & APPAREL

The Friendswood Independent School District will be accepting Sealed Proposals (Texas Education Code 44.031) for PROMOTIONAL ITEMS & APPAREL. Sealed proposals can be submitted online or to FISD's Administration Building at 302 Laurel Drive, Friendswood, Texas 77546. Proposals must be received on or before 2:00 p.m., August 25, 2021. Bid packets are available on FISD's website www.myfisdc.com/information-for-vendors or through the Public Purchase website www.publicpurchase.com. Please contact cbtain@fisdk12.net with any questions. The Friendswood Independent School District reserves the right to postpone, to accept or to reject any and all proposals as it deems to be in its best interest and to waive formalities and reasonable irregularities.

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change to Amend Avalon at Friendswood Planned Unit Development (PUD) 2019-37 to Incorporate 26.921 Acres of Annexed Property (no zoning district assigned)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for 183.386 acres of land located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.224 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.**

The Planning and Zoning Commission will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The City Council will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

The City of Friendswood is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. For assistance, please contact the City's ADA Coordinator Brian Rouane at 281-996-3285 via phone, 281-482-1634 via fax or contact 281-996-3285 via Relay Texas at 711 or 1-800-735-2988 for TYY services. For more information concerning Relay Texas, please visit <http://relay-texas.com>.

Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Accommodate the Development of Industrial (I) Zoned Properties in the Panhandle Area

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2. Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.

The Planning and Zoning Commission will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The City Council will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

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Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Increase Mitigation Requirements to Promote Preservation of Existing Trees

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.

The Planning and Zoning Commission will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The City Council will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

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Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

NOTICE OF PUBLIC HEARINGS OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS

Notice is hereby given that the City Council of the City of Pearland, in Brazoria, Harris and Fort Bend Counties, Texas, the City Council of the City of Pearland will hold a hearing and Ordinance adoption consideration on Monday, **July 26, 2021**, at 6:30 p.m., at City Hall, 3519 Liberty Dr., Pearland, Texas 77581, by **telephone/video conference and in-person** with social distancing protocols and restrictions in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19), for the following cases:

1. Thoroughfare Plan Amendments: A request by the City of Pearland, applicant, for approval of proposed amendments to the Thoroughfare Plan of the City's Comprehensive Plan, in accordance with Texas Local Government Code Sections 211.004 and 213.003, to promote health, safety, general welfare, and provide for adequate facilities for transportation.

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. For additional information, please contact the Planning Department at 281-652-1765.

Martin Griggs, AICP, CNU-A
Planning Manager

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change Request to Change Approximately 3.65 Acres of Land from Community Shopping Center (CSC) to Industrial (I)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for approximately 3.65 acres out of 18.0137 acres located along FM 2351 (address not yet assigned), the 18.0137 acres more fully described in 4 tracts: 16.592 acres out of and part of Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, .0918 acres out of and part of Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, and .1119 acres of land out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas; and 1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, Film Code 688395, City of Friendswood, Harris County, Texas to change from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).**

The Planning and Zoning Commission will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The City Council will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

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Leticia Brysch, City Secretary

For more news visit myreporternews.com

RICKY TULLOS

OILER FOOTBALL CAMP

2nd - 9th Grade Football Camp 2021

Home of the 2010 5A Div. I State Champions

July 26-28 (M-W) at The Rig

8:00 a.m. - 11:00 a.m.

Instructors: Pearland Oilers Football Staff

COST: \$75.00 PRE-REGISTER ~ \$85 FOR WALKUPS

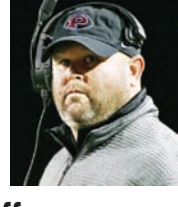
WEAR: SHORTS, T-SHIRT & RUNNING SHOES

BRING: A POSITIVE ATTITUDE, CLEATS, WATER BOTTLE, SUNSCREEN & MEDICATIONS

SKILLS: FOOTBALL SKILLS, WEIGHT ROOM TECHNIQUES, NUTRITION, AND LEADERSHIP DEVELOPMENT

Fo more information contact RICKY TULLOS, CAMP DIRECTOR

281.997.3281 or tullosr@pearlandisd.org



ACC player selected in MLB Draft

Alvin Community College pitcher Owen Holt was recently selected in the Major League Baseball draft by the Cincinnati Reds.

Holt, of Houston, was taken in the 16th round of the draft and was the 480th overall pick.

"Owen came in with a mid-90 MPH fastball and good secondary stuff," ACC Baseball Coach Jason Schreiber said. "His personality and leadership was the attributes that impressed me the most. There is no doubt Owen will thrive in professional baseball."

Owen pitched for ACC this past season not long after he signed on to play for Harvard University.

"He came to us for the Spring semester," Schreiber said. "He wanted to play baseball and the Ivy League was not having their season due to COVID. Immediately Owen embraced the juco life and he fit in right away."

Owen was 7-3 in the Spring season for ACC with 65 strikeouts and a 10.26 K/9 ratio.

This summer Holt has been pitching for the Williamsport Crosscutters in the MLB Draft League.



Page 135 of 278

Photo courtesy of Williamsport Crosscutters

**PROPOSED
ZONE
CHANGE**
MORE INFORMATION
zoningfriendswood.com

PUBLIC HEARING
AUGUST 12, 2021 7:00 PM
SEPTEMBER 13, 2021 5:30 PM
CITY HALL

Rezoning Report

July 2021

Project: Avalon at Friendswood (295 lot subdivision)

Address: 183.386 acres along Friendswood Lakes Blvd. between West Ranch and Friendswood Lakes Subdivisions

Legal: 183.386 acres located along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions, consisting of the following tracts:

96.944 acres in the Mary Fabreau Survey, Abstract No. 69, being all of a 97 acre tract of land described in a deed to Cypress Creek Holdings, Ltd., in Galveston County, Friendswood, Texas; and

59.5277 acres of land, more or less, being a portion of a called 194.21 acre tract described as Tract "A" as conveyed to Yellowstone Hill Country Ranching, LLC, Galveston County, Friendswood, Texas

26.921 acres in the I&GNRR Company Survey Number 5, Abstract Number 622, called Tract "B" as conveyed to Yellowstone Hill Country Ranching, LLC, Galveston County, Friendswood, Texas

Request: Change the zoning from Planned Unit Development (PUD) (2019-37) and unassigned zoning to a revised Planned Unit Development (PUD)

Proposed Use (Permitted Uses, Location, Size, etc.):

Zoning Ordinance

J. PUD, planned unit development, general purpose and description.

(1) General.

(a) This district allows for greater flexibility in the design and coordination of a single use or mixed uses than in other districts because a specific ordinance is written for every PUD. A PUD is a unique zoning classification, and shall be granted only when the planning and zoning commission and city council determine that the applicant has submitted a complete application containing sufficient detail. An applicant is not entitled to a PUD as a matter of right. The city reserves the right to establish conditions as determined appropriate.

(b) In no case shall a PUD be used for the sole purpose of circumventing the intent of city ordinances or plans. Unless standards for elements of site design are specifically described in a rezoning ordinance for a PUD, all design and development standards shall apply to all land development within a PUD district. The development must be

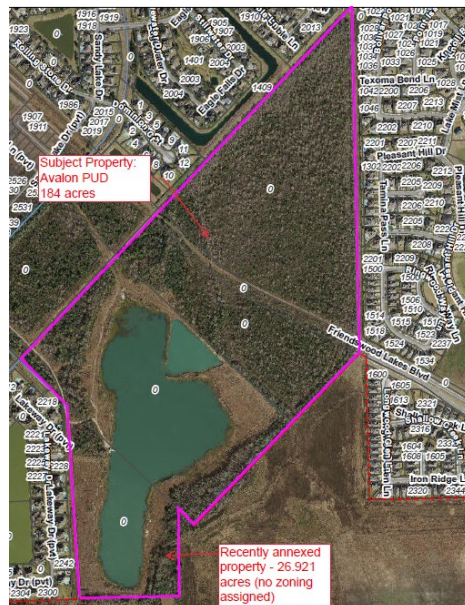
planned as an integral unit and must protect nearby landowners from adverse impact with appropriate buffering and landscaping. A site plan is required for all PUDs.

(c) The general purposes of all PUD districts are several-fold:

- 1. To encourage unified design and development of tracts of land incorporating a variety of uses, including, but not limited to, residential, commercial, office, and institutional;*
- 2. To accommodate innovation in development by modifying the city's land use and development regulations;*
- 3. To provide for and protect the public health, safety and general welfare of the city by assuring quality development in accordance with the city's comprehensive plan and other related goals;*
- 4. To minimize the negative impact of developments, especially those related to drainage, environment, traffic, and a public services and related facilities;*
- 5. To protect and enhance the aesthetic and visual qualities of development;*
- 6. To provide development of sites in a suitable fashion when such development is restricted by such factors as site location and shape;*
- 7. To promote economic development in accordance with the city's plans for such.*

Existing Use/Site Attributes:

Development of the first section of Avalon at Friendswood is underway. The property lies between West Ranch Subdivision and Friendswood Lakes Subdivision along the future route of Friendswood Lakes Boulevard.

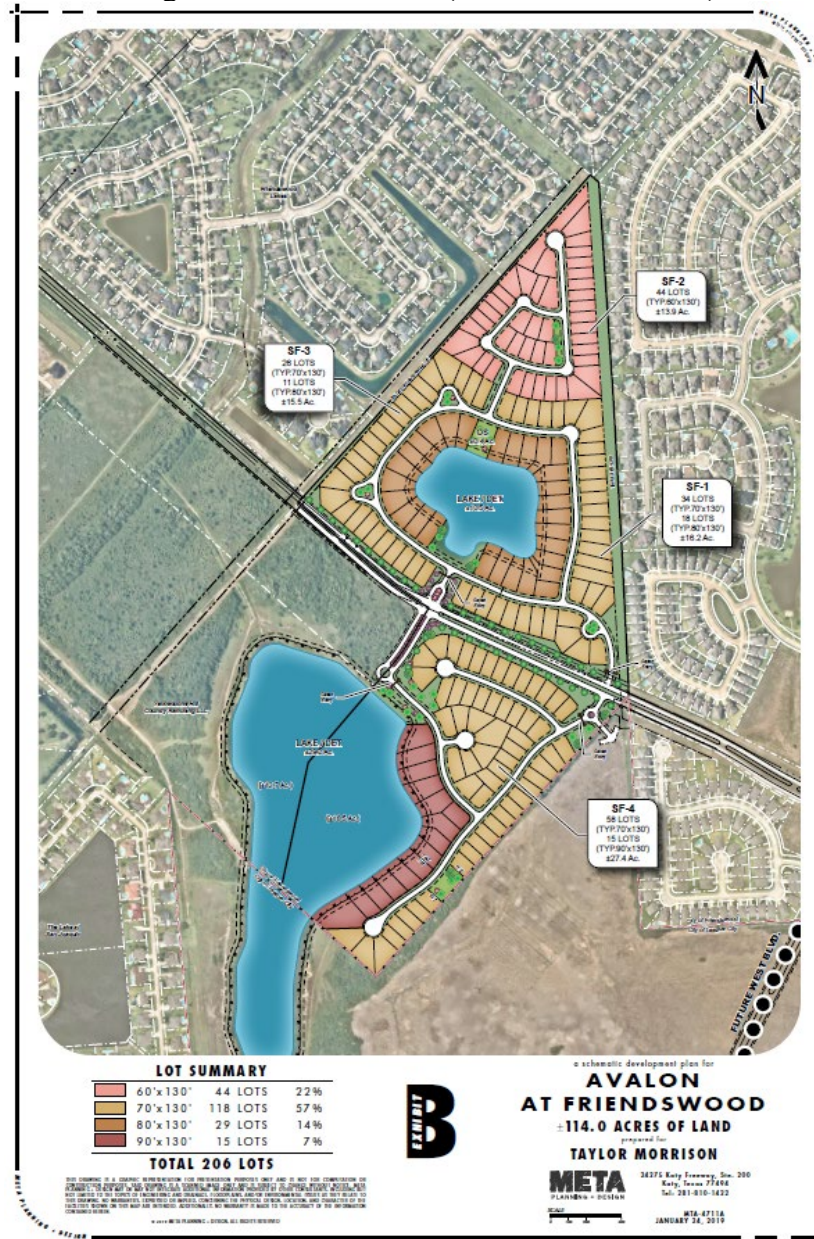


City of Friendswood GIS Aerial Map

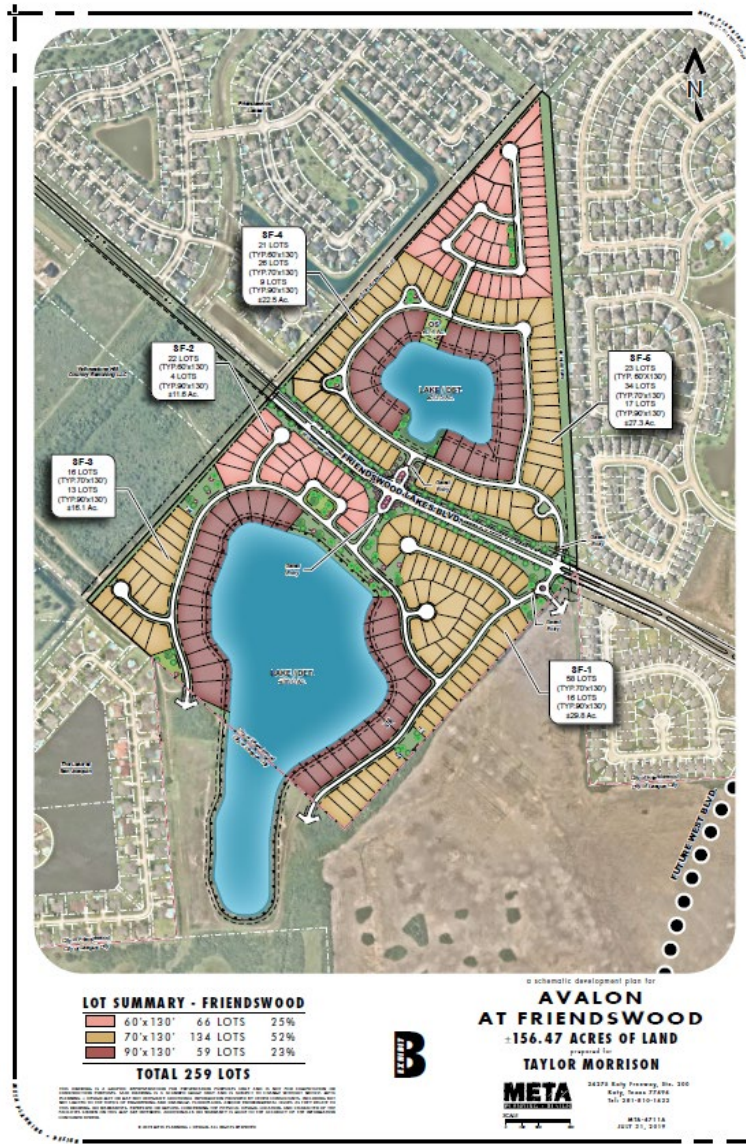
Zoning History:

The current zoning of the property is Planned Unit Development (PUD) (2019-37). The existing PUD was approved November 4, 2019, for a total of 156 acres, consisting of a 97-acre tract, plus 59.5277 acres of an 87-acre tract. The original PUD consisted of 115 acres and was amended shortly thereafter to include additional property that the owner acquired.

Original PUD – 2019-11 (115 acres; 206 Lots)

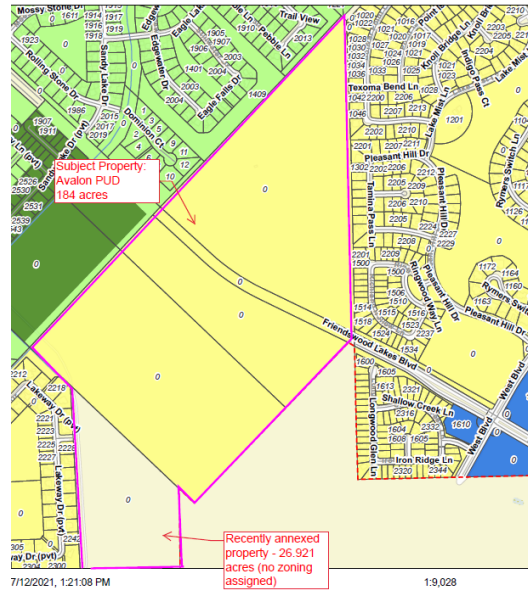


Amended PUD 2019-37 (156.47 Acres; 259 lots)



Adjacent Zoning/Land Use:

The property is bordered by tracts that are zoned Single Family Residential (SFR), Planned Unit Development (PUD) (Lakes at San Joaquin Subdivision and West Ranch) Multi-Family Residential Garden Home District (MFR-GHD), and the City of League City. Access to the development will be via the future Friendswood Lakes Boulevard. Coordination with Galveston County Engineering Division on that road extension will be required.



City of Friendswood Zoning Map

Platting Analysis:

The developer has started the platting process with Section 1. Avalon at Friendswood plats will not be recorded until Friendswood Lakes Boulevard is substantially complete and meets the access requirements per the Subdivision Ordinance and International Fire Code. Applicant will be required to submit all plats to Galveston County Consolidated Drainage District (GCCDD).

Planning Analysis:

The proposed amendment would add 36 residential lots to the development for a total of 295 lots ranging from sixty (60) to ninety (90) feet wide.

Notice of the public hearings was published in the newspaper, a sign was posted on the property and property owner notices were mailed to property owners within 200 feet of the subject property.

Comprehensive Planning Analysis:

The additional 26.921 acres is not identified on the 2008 Future Land Use Map because the property was just annexed in 2021.

Infrastructure/Service Delivery Impacts

Storm Water Management and Floodplain Issues:

The property is not within any high-risk flood zone areas. The developer must provide onsite detention. Storm water detention requirements will be subject to the City of Friendswood Design Criteria Manual, as well as the Galveston County Consolidated Drainage District design criteria.

Utilities:

The developer will be required to extend water and sewer infrastructure to the development.

Access:

The property will have direct access to Friendswood Lakes Boulevard, which is nearing completion. Development of the residential lots will be contingent upon the construction of Friendswood Lakes Blvd. The developer will be responsible for coordinating with Galveston County regarding completion of Friendswood Lakes Boulevard and access to the subject property for installation of water, sewer and drainage infrastructure. Avalon at Friendswood plats will not be recorded until Friendswood Lakes Boulevard is substantially complete and meets the access requirements per the City of Friendswood Subdivision Ordinance and the International Fire Code.

An emergency access only gate will be required between the proposed Avalon at Friendswood development and Lakes at San Joaquin. Both subdivisions are gated communities with private streets constructed around large detention ponds. For life safety reasons, the City is requiring the connection to be made between the subdivisions. A stub out street was required when the Lakes at San Joaquin was constructed. The HOA's are working on a private agreement for installation and maintenance of the gate.

Park/Open Space:

Each residential lot will be required to pay \$600 for Parkland Dedication.

**AVALON AT FRIENDSWOOD
PLANNED UNIT DEVELOPMENT**

AMENDMENT NO. 1

± 184.0 Acres

**Prepared For:
Taylor Morrison**

PREPARED BY:



24275 Katy Freeway, Suite 200
Katy, TX 77494

APPROVED: May 2019 (Ordinance 2019-11)
AMENDED: August 2019 (Ordinance 2019-37)
AMENDED: July 2021

TABLE OF CONTENTS

- I. Introduction**
 - a. Purpose
 - b. Location and Existing Conditions
- II. Project Description**
 - a. Character of Community
 - b. Land Use
 - c. Permitted Uses
- III. Development Guidelines**
 - a. Residential Development Regulations
 - b. Signage
 - c. Amenities/Open Space
 - d. Phasing/Development Schedule
- IV. Exhibits**
 - a. Area Map
 - b. Conceptual Development Plan

I. INTRODUCTION

Purpose

This application has been prepared on behalf of Taylor Morrison, pursuant to the City of Friendswood's Ordinances related to a Planned Unit Development (PUD). The purpose of the PUD District is to encourage flexibility in the development of land, promote the most appropriate uses, and encourage a cohesive residential development. This PUD will establish development regulations and standards that will ensure quality development, consistent with the intent of the Friendswood Subdivision and Zoning Ordinances.

Location and Existing Conditions

The Avalon at Friendswood PUD is located on a $\pm$ 184 Ac. tract located west of West Blvd, situated between the West Ranch subdivision to the east and the Friendswood Lakes subdivision to the west. The subject tract is bisected thru the middle by Friendswood Lakes Blvd and a portion lies along the city limit line of the City of Friendswood and City of League City. An existing lake sits on the southern side of the tract, south of Friendswood Lakes Blvd and the remainder of the tract is currently undeveloped. See Exhibit A – Area Map.

All land immediately surrounding the subject tract is either residential or undeveloped. Therefore, the proposed development is compatible with the surrounding land uses. Furthermore, existing easements around the tract act as natural buffers with adjoining properties. As a result of these various factors, the proposed Avalon at Friendswood development will be a suitable use for the tract.

II. PROJECT DESCRIPTION

Character of Community

Avalon at Friendswood will be a gated, residential neighborhood with both residential and recreational character. The PUD will create flexibility in the design while still maintaining a high quality and cohesive community. A high level of architectural character and design aesthetics will be utilized throughout the development. These elements ensure the project's strong, cohesive character and sense of community. The project will incorporate lake areas, green spaces and walkways that create a beautiful community with lake views throughout.

Land Use

Avalon at Friendswood will be composed entirely of residential lots, landscaped open spaces and lake/ detention areas. The conceptual development plan (Exhibit B) illustrates the proposed mix of lot sizes and general site layout. The project includes a circulation of local residential streets, with a single thoroughfare, Friendswood Lakes Blvd, running east and west thru the center of the tract. A lake/detention area will be included on both the north and south sides of the property, on either side of Friendswood Lakes Blvd. The exact location of all streets and lots as shown on Exhibit B is preliminary and subject to change as development proceeds. Furthermore, the number of lots and lot sizes may be adjusted based on market demand at the time of development. A change of lots and/or lot size of up to ten percent (10%) will be permitted with staff approval. Any change over ten percent (10%) will require City Council approval. However, any modifications to the design will be consistent with the design standards and parameters specified within this document.

Permitted Uses

All uses listed under Single Family Residential (SFR) in the City of Friendswood code of ordinances are permitted within this tract.

III. DEVELOPMENT GUIDELINES

Unless otherwise outlined in this document, all City of Friendswood Subdivision and Zoning regulations in place at the time this document is adopted shall apply to the PUD. Any change to the below guidelines and/or other applicable regulations shall require a variance or an amendment to the PUD.

Residential Development Regulations

The following regulations shall apply to all single-family development:

1) Lot Regulations - 1.

	Units Per Acre	Lot Area (Minimum Sq. Ft.)	Minimum Lot Width	Setbacks				Height Maximum (Ft)	Parking Requirements (per Unit)		Maximum Lot Coverage
				Front (Ft)	Rear (Ft)	Interior Side (Ft)	Corner Side (Ft)				
Single Family Residential	4.5	7,200	60	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A		65%
Single Family Residential	4	8,400	70	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A		65%
Single Family Residential	3.5	9,600	80	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A		65%
Single Family Residential	3	10,800	90	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A		65%

A - Parking is required in accordance with the Parking Group Table in the Design Criteria Manual

2) Lake Lots

1. A drainage maintenance easement will be established along the rear of the lots for the required maintenance berm of the pond. Buildings and other structures, plantings, flower beds and other landscaping are not permitted in drainage easements. Fences are allowed in the easement so long as gates are installed in the side fences that extend across the easement down to the water.

3) Cul de Sacs and knuckles

1. Cul de sacs must have a minimum of a sixty (60) foot right of way radius.
2. Cul de sacs must not exceed 900 feet when measured along the centerline from the nearest intersection. However, the following condition applies:
 - a. Adequate water pressure for potable water needs and firefighting capabilities shall be provided

- 4) Points of Access
 1. Any development over seventy-five (75) lots must have two points of access.
 - a. A second point of access may be provided thru the following methods
 - i. Public or private right of way
 - ii. Boulevard entrance
 - iii. An access easement with a crash gate and connecting to public right of way with approval from the Fire Marshal.
- 5) Gated Development
 1. A gated community is permitted, subject to all applicable standards. In a gated community, all the streets will be private.

Signage

Signage within the PUD will conform to the City of Friendswood Sign Ordinance with the following exceptions:

- 1) Temporary signs used during construction of the development recognizing builders, architects, engineers, leasing representatives, lenders, etc. must all be tastefully displayed on 4' x 8' vertical signs. All temporary signs must be removed when the principle building on the applicable building site is occupied. Additional temporary builder signs directing potential home buyers to various neighborhood/model homes may be installed behind the public right of way. These temporary signs will remain until the section is 80% complete.
- 2) Neighborhood monumentation
 - a. Neighborhood monumentation is permitted within the parameters set forth in the City of Friendswood signage ordinance.

Amenities

Lakes and Open space areas account for approximately 40% of the gross acreage of Avalon at Friendswood. The open space calculation includes all parks, landscape reserves, landscaped right of ways, pipeline easements, drainage easements, trails, tot lots, lakes, detention and drainage area, etc. The proposed open space amenities and the acreages are as follows:

Open Space Amenity	Acreage*
Lakes/Detention	+/- 49.8
Easements	+/- 12.2
Landscape/Open Space	+/- 10.9
TOTAL	+/- 72.9

*All acreages are preliminary and subject to changes as development occurs

In addition to the recreation and open space areas listed above, the development will comply with all applicable City of Friendswood Parkland Dedication requirements and/or Parkland Fees.

Phasing and Development

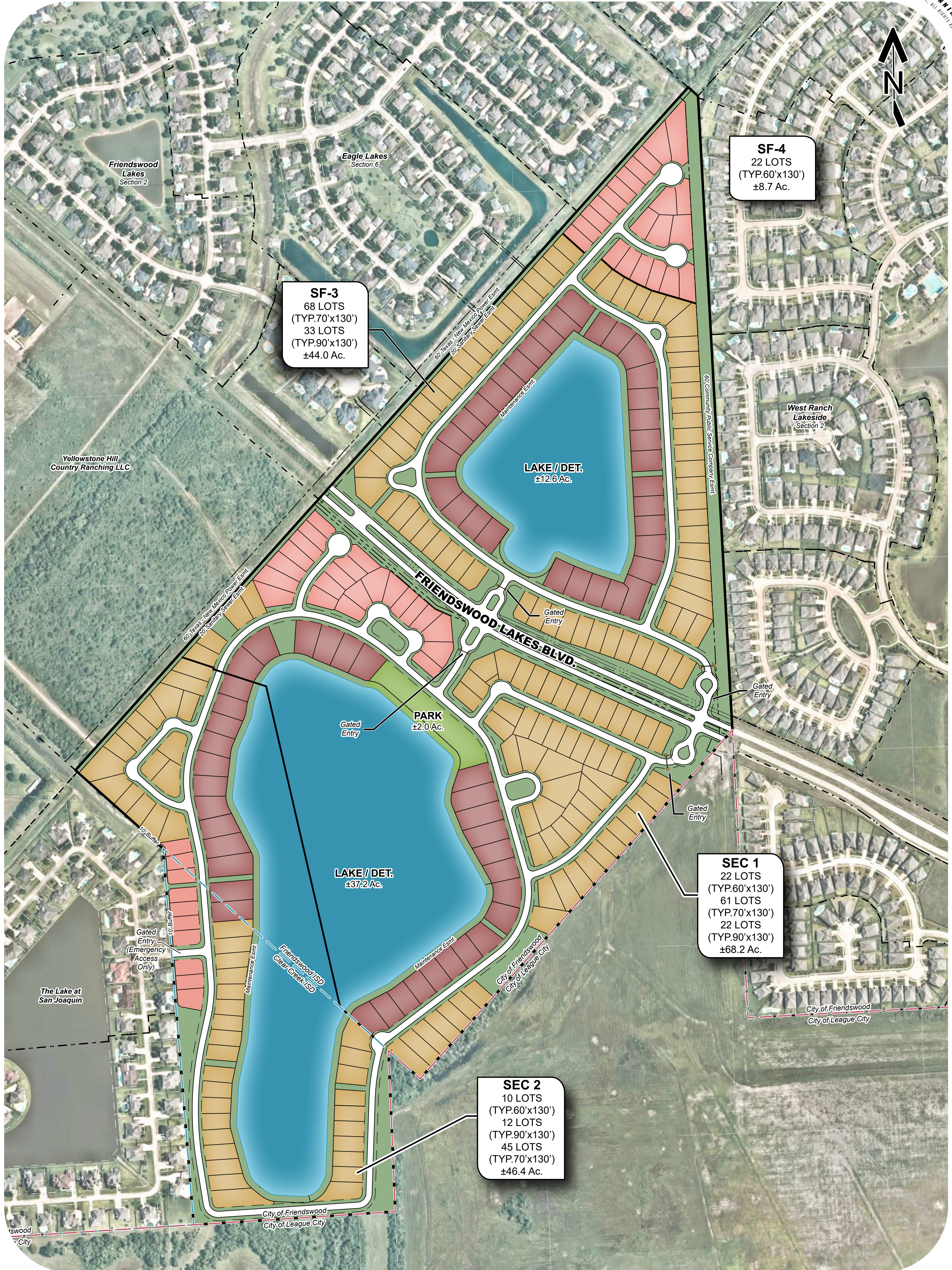
The development is intended to be constructed in 4 phases. The initial phase will consist of approximately 105 lots (Section 1) and will be located south of Friendswood Lakes Blvd. Phase two will include approximately 65-70 lots (Section 2) and will be made up of the remainder of the lots south of Friendswood Lakes Blvd. Phase 3 will include approximately 100-105 lots located around the small lake north of Friendswood Lakes Blvd. Phase 4 will consist of the remaining lots on the northern most portion of the property. It will be made up of approximately 20-25 lots. It is proposed that there will be approximately 295 total lots within the 4 phases. This proposed phasing is based on preliminary projections, but the final timing of development as well as the number and location of phases may be modified based on market conditions.

In addition, all phasing will be coordinated with the construction of Friendswood Lakes Blvd. No plat recordation will be permitted until substantial completion of Friendswood Lakes Blvd. up to the entrance of the Avalon at Friendswood development. All platting will be in compliance with the access requirements of the Subdivision Ordinance and International Fire Code.

IV. EXHIBITS

Exhibit A – Area Map

Exhibit B – Conceptual Development Plan



LOT SUMMARY

60'x130'	54 LOTS	19%
70'x130'	174 LOTS	59%
90'x130'	67 LOTS	22%

TOTAL 295 LOTS

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a schematic development plan for

AVALON AT FRIENDSWOOD

±184.0 ACRES OF LAND

prepared for

TAYLOR MORRISON



24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422



MTA-4711A
MAY 29, 2021

EXHIBIT B



EXHIBIT
A

an exhibit for
**AVALON
AT FRIENDSWOOD**
±184.0 ACRES OF LAND
prepared for
TAYLOR MORRISON

META
PLANNING + DESIGN

24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422

SCALE
0 100 200 400

MTA-4711A
MAY 26, 2021

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**CITY OF FRIENDSWOOD
PLANNING AND ZONING COMMISSION
THURSDAY, JULY 22, 2021 - 7:00 PM**

Minutes

MINUTES OF A FRIENDSWOOD REGULAR MEETING HELD AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, FRIENDSWOOD CITY HALL, COUNCIL CHAMBERS

STATE OF TEXAS
CITY OF FRIENDSWOOD
COUNTIES OF GALVESTON/HARRIS
JULY 22, 2021

1. CALL TO ORDER

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD PLANNING AND ZONING COMMISSION THAT WAS HELD ON THURSDAY, JULY 22, 2021, AT 07:04 PM 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS

CHAIRMAN JOSEPH MATRANGA
VICE-CHAIRMAN RICHARD SASSON
COMMISSIONER TOM HINCKLEY
COMMISSIONER MARCUS PERRY
COMMISSIONER CATHERINE KOERNER
COMMISSIONER TRAVIS MANN
COMMISSIONER RICHARD CLARK
COUNCIL LIAISON ROBERT GRIFFON
DIRECTOR OF CDD/PLANNER AUBREY HARBIN
DEVELOPMENT COORDINATOR BECKY BENNETT
CITY ATTORNEY MARY KAY FISCHER WAS ABSENT FROM THE MEETING.

2. Communication from the public/committee liaisons

(To comply with provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects be placed on a later regular Commission agenda for discussion and/or possible action)

None.

3. Public Hearing

- A. Conduct a public hearing to receive comments both oral and written regarding proposed amendments to Appendix C Zoning Ordinance, Section 7.Q.2 "Regulation Matrix - Commercial Districts and Regulation Matrix - Residential Districts" in order to clarify reference notes and Section 7.Q.3 "Area and Height Exceptions" to add an exception for building height.

Bennett said the subcommittee made the requested updates to the proposed building height ordinance from the last meeting. She said the majority of changes are clerical and the commission did not have much feedback on that portion. She said the major change is to allow buildings outside the Downtown District (DD) a maximum building height of 70-feet in certain situations. Bennett explained the building would need to be set back from Single Family Residential (SFR) zoning 2.5 times the building height. She said the setback would be measured from the nearest point of the building.

No public comments.

4. Consent Agenda

These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner so requests in which case the item would be removed from the consent agenda and considered separately.

****Commissioner Tom Hinckley moved to approve Consent Agenda. Seconded by Commissioner Richard Clark. The motion was approved unanimously.**

- A. Consider approval of the Final Plat of Pfeiffer Estate.
- B. Consider approval of the minutes of the Planning and Zoning Commission Regular Meeting held Thursday, June 24, 2021.
- C. Consider approval of the minutes of the Planning and Zoning Commission Regular Meeting held on Thursday, July 8, 2021.

5. Action Items

According to the Planning and Zoning Rules of Procedure (R2019-15), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

- A. Consideration and possible action regarding a recommendation to City Council regarding proposed amendments to Appendix C Zoning Ordinance, Section 7.Q.2 "Regulation Matrix - Commercial Districts and Regulation Matrix - Residential Districts" in order to clarify reference notes and Section 7.Q.3 "Area and Height Exceptions" to add an exception for building height.

****Commissioner Tom Hinckley moved to approve Consideration and possible action regarding a recommendation to City Council regarding proposed amendments to Appendix C Zoning Ordinance, Section 7.Q.2 "Regulation Matrix - Commercial Districts and Regulation Matrix - Residential Districts" in order to clarify reference notes and Section 7.Q.3 "Area and Height Exceptions" to add an exception for building height. Seconded by Vice-Chairman Richard Sasson. The motion was approved unanimously.**

Clark asked if the exception for Elementary and Secondary Schools would apply to private and public schools. Bennett answered the height exception would apply to both since private schools may have the same needs as a public school when it comes to amphitheaters and such.

Matranga asked if the exception for schools would include karate and dance type schools. Bennett said those types of instruction are classified under a different NAICS code and name and would not be included in the exception. Bennett stated the proposed language was vetted by the City Attorney after concerns were raised by the commission at the last meeting.

6. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

- A. Consider setting the next Planning and Zoning Commission regular meetings for (i) Thursday, August 12, 2021 and (ii) Thursday, August 26, 2021.

7. Communications

- A. Receive information from Commissioners to include but not limited to suggestions for future agenda items, general comments and/or updates from liaison assignments.

Clark said he attended the Galveston County Consolidated Drainage District meeting but they did not discuss anything that directly pertained to the commission.

Hinckley said the Ordinance Subcommittee met briefly before the regular meeting and will regroup in a few weeks to tackle the next projects.

Perry stated the Planning Subcommittee has concluded their public outreach portions of the Future Land Use map. He said they have reviewed the public comments and will most likely move forward with subcommittee discussions via email. Perry said the subcommittee will have a work session with City Council in September to discuss the proposed map.

Matranga said he attended the City of Galveston planning meeting and found they use the same process as Friendswood just in a different order. He told the commissioners they are more than welcome to join him when he observes another community's meeting. He added it is always very educational.

- B. Receive an update on tasks from the Planning Subcommittee.

- C. Receive an update on tasks from the Ordinance Subcommittee.

- D. Receive general comments and communication from City Council Liaison, Robert Griffon. Councilman Griffon announced the new commission liaison will be Trish Hanks and he will move to the backup liaison. Griffon said interaction with the commission is very helpful for him as a councilman and he would have liked to volunteer for the commission prior to running for City Council for the experience.

Griffon stated the first reading of the Tannos Planned Unit Development (PUD) was approved by City Council and that the decision to approve was done so with great reverence to the commission's negative recommendation.

- E. Receive information from Staff regarding commercial and residential project updates, City Council action and ordinance updates.

No comments.

8. ADJOURNMENT

This meeting was adjourned at 07:21 PM.



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consider the approval of the replat of Industry Park Friendswood Reserve I.

Action:

SUMMARY / ORIGINATING CAUSE

The proposed plat is to incorporate an additional 0.0138 piece of land into Reserve I of Industry Park Friendswood along FM 2351.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Approval of the replat will confirm the change in configuration of Restricted Reserve I.

RECOMMENDATIONS

The plat was reviewed by staff in the following departments: Planning, Public Works, Engineering, Fire Marshal, and Police Department. No comments remain. (See attached compliance memo)

ATTACHMENTS

1. Compliance Memo_Industry Park Res I Replat
2. RePlat_Industry Park Reserve I

Memo

To: Planning and Zoning Commission
From: Becky Bennett, Development Coordinator
Date: August 4, 2021
Re: Replat of Industry Park Friendswood Reserve I

Project Description: The proposed plat is to incorporate an additional 0.0138 piece of land into Reserve I of Industry Park Friendswood along FM 2351.

The plans were reviewed by staff in the following departments: Planning, Public Works, Engineering, Fire Marshal, and Police Department.

Approval Options:

- ☐ Approval
- Standards for approval. The Commission shall approve a plat if:
- (1) It conforms to the general plan of the City of Friendswood and the current and futures streets, alleys, parks, playgrounds, and public utility facilities;
 - (2) It conforms to the general plans for extension of roads, streets, and public highways, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and
 - (3) It conforms to the Subdivision Ordinance and Local Government Code Chapter 212.

- ☐ Conditional Approval with the following conditions*

- ☐ Disapproval due to the following reasons*

*Each condition or reason specified must be directly related to the requirements under the subdivision platting law and include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable, and conditions or reasons may not be arbitrary.

*Requires reconsideration by the Planning and Zoning Commission.

Outstanding Conditions/Reasons*:

None.

Staff Comments:

None.



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consider the approval of the replat of Friendswood ISD High School Campus.

Action:

SUMMARY / ORIGINATING CAUSE

The proposed plat is to combine the main building for the high school with the natatorium tract and six residential tracts acquired by the school district.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Approval of the plat will allow development to progress.

RECOMMENDATIONS

The plat was reviewed by staff in the following departments: Planning, Public Works, Engineering, Fire Marshal, and Police Department. One comment remains, but does not require reconsideration by the Commission: Clarify the 15' water line easement is replacing the 15' utility easement. Pending no objection letters from dry utility companies. See attached Compliance Memo.

ATTACHMENTS

1. Compliance Memo_FISD HS Campus
2. Replat_FISD High School Campus

Memo

To: Planning and Zoning Commission
From: Becky Bennett, Development Coordinator
Date: August 9, 2021
Re: Replat of Friendswood ISD High School Campus

Project Description: The proposed plat is to combine the main building for the high school with the natatorium tract and six residential tracts acquired by the school district.

The plans were reviewed by staff in the following departments: Planning, Public Works, Engineering, Fire Marshal, and Police Department.

Approval Options:

- ☐ Approval
- Standards for approval. The Commission shall approve a plat if:
- (1) It conforms to the general plan of the City of Friendswood and the current and futures streets, alleys, parks, playgrounds, and public utility facilities;
 - (2) It conforms to the general plans for extension of roads, streets, and public highways, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and
 - (3) It conforms to the Subdivision Ordinance and Local Government Code Chapter 212.

- ☐ Conditional Approval with the following conditions*

- ☐ Disapproval due to the following reasons*

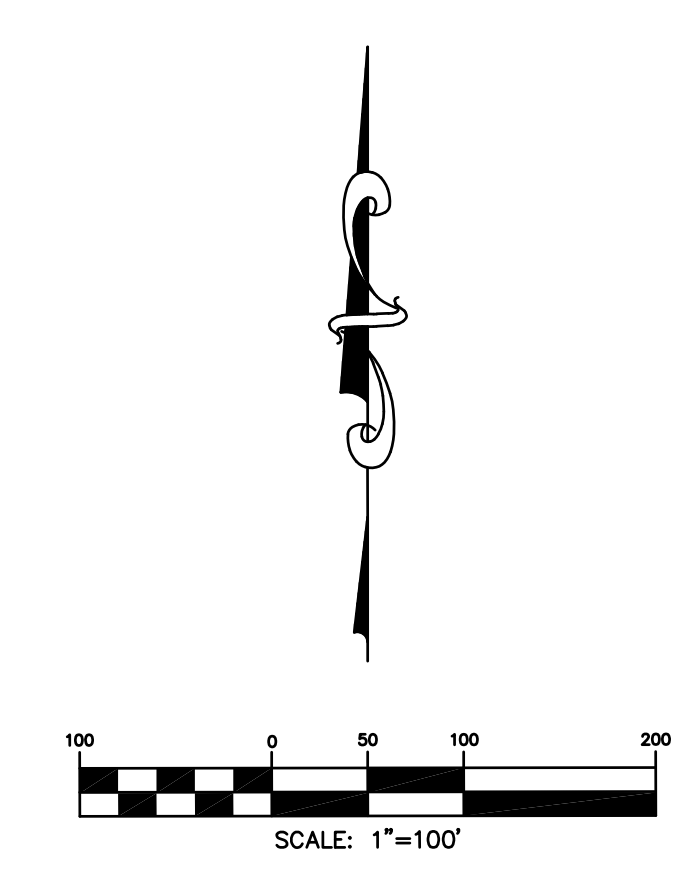
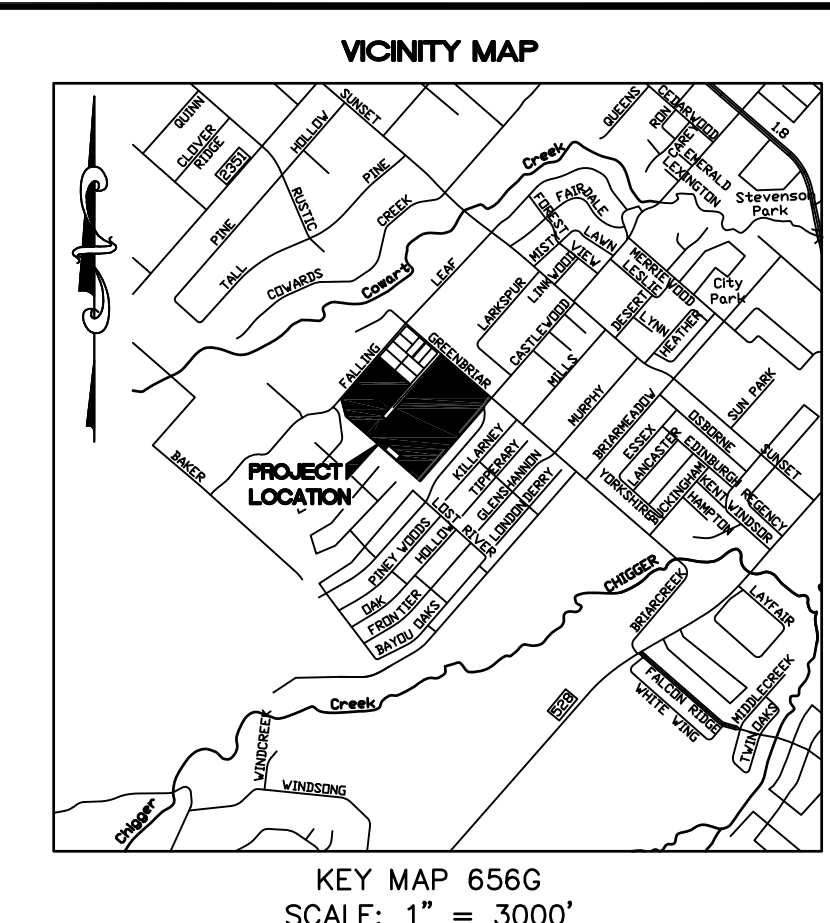
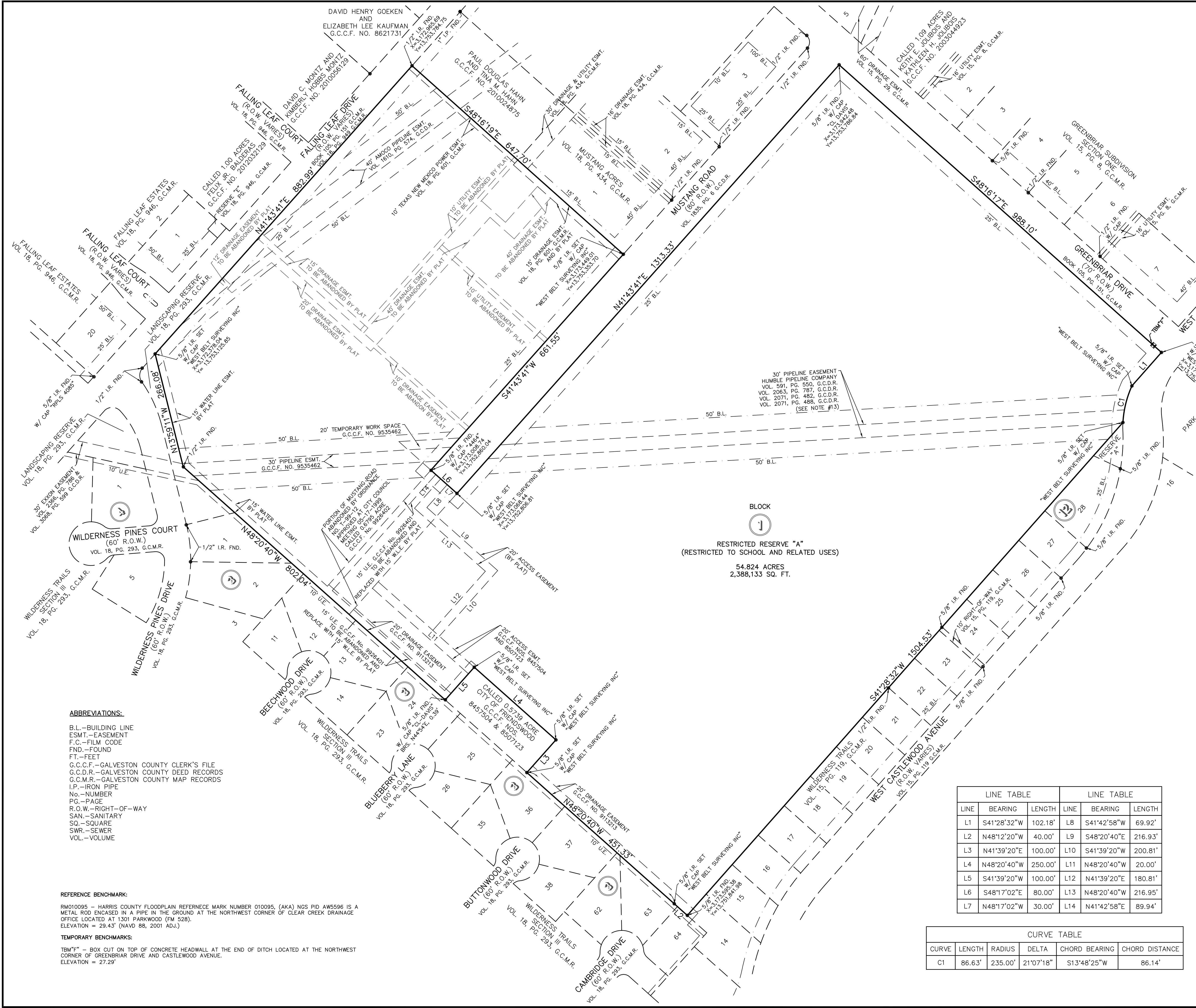
*Each condition or reason specified must be directly related to the requirements under the subdivision platting law and include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable, and conditions or reasons may not be arbitrary.

Outstanding Conditions/Reasons*: Requires reconsideration by the Commission.

None.

Staff Comments: Reconsideration by the Commission not required.

Pending no objection letters from dry utility companies.



FRIENDSWOOD ISD High School Campus

A SUBDIVISION OF
54.824 ACRES
BEING A PLAT OF ALL OF LOT 2 AND
PARTIAL PLAT OF LOTS 1, 3, AND 4,
BLOCK H OF CENTRAL PARK,
VOL. 105, PG. 151, G.C.D.R.
AND A REPLAT OF ALL OF LOTS 2-4 AND
6-9 OF BRENHAM ESTATES,
VOL. 18, PG. 601, G.C.P.R.,
AND ALL OF LOT 1, BLOCK 1, FINAL PLAT
FRIENDSWOOD HIGH SCHOOL EXPANSION,
VOL. 18, PG. 990, G.C.P.R.

OUT OF THE
SARAH MCKISSICK SURVEY,
ABSTRACT NO. 151
CITY OF FRIENDSWOOD,
GALVESTON COUNTY, TEXAS

1 BLOCK 1 RESERVE

REASON FOR REPLAT:
TO CREATE 1 RESERVE RESTRICT TO
SCHOOL AND RELATED USES AND
ABANDON DRAINAGE & UTILITY
EASEMENTS

AUGUST 2021



21020 PARK ROW
KATY, TEXAS 77449
PHONE: (281) 599-8288
FAX: (281) 492-0026
CERTIFIED FIRM NO. 10073800
OWNER:
FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT
TONY HOPKINS, PRESIDENT
302 LAUREL DRIVE
FRIENDSWOOD, TEXAS 77548
281-492-1297

ABBREVIATIONS:
B.L.—BUILDING LINE
ESMT.—EASEMENT
F.C.—FILM CODE
FND.—FOUND
FT.—FEET
G.C.C.F.—GALVESTON COUNTY CLERK'S FILE
G.C.D.R.—GALVESTON COUNTY DEED RECORDS
G.C.M.R.—GALVESTON COUNTY MAP RECORDS
I.P.—IRON PIPE
No.—NUMBER
PG.—PAGE
R.O.W.—RIGHT-OF-WAY
SAN.—SANITARY
SQ.—SQUARE
SWR.—SEWER
VOL.—VOLUME

REFERENCE BENCHMARK:
RM010095 — HARRIS COUNTY FLOODPLAIN REFERENCE MARK NUMBER 010095, (AKA) NGS PID AW5596 IS A METAL ROD ENCASED IN A PIPE IN THE GROUND AT THE NORTHWEST CORNER OF CLEAR CREEK DRAINAGE OFFICE LOCATED AT 1301 PARKWOOD (FM 528).
ELEVATION = 29.43' (NAVD 88, 2001 ADJ.)
TEMPORARY BENCHMARKS:
TBM"1"— BOX CUT ON TOP OF CONCRETE HEADWALL AT THE END OF DITCH LOCATED AT THE NORTHWEST CORNER OF GREENBRIAR DRIVE AND CASTLEWOOD AVENUE.
ELEVATION = 27.29'

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S41°28'32"W	102.18'	L8	S41°42'58"W	69.92'
L2	N48°12'20"W	40.00'	L9	S48°20'40"E	216.93'
L3	N41°39'20"E	100.00'	L10	S41°39'20"W	200.81'
L4	N48°20'40"W	250.00'	L11	N48°20'40"W	20.00'
L5	S41°39'20"W	100.00'	L12	N41°39'20"E	180.81'
L6	S48°17'02"E	80.00'	L13	N48°20'40"W	216.95'
L7	N48°17'02"W	30.00'	L14	N41°42'58"E	89.94'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	86.63'	235.00'	21°07'18"	S13°48'25"W	86.14'

STATE OF TEXAS §

COUNTY OF GALVESTON §

We, Friendswood Independent School District acting by and through Tony Hopkins, President and Rebecca Hillenburg, Secretary, being officers of Friendswood Independent School District, owners hereinafter referred to as Owners, whether one or more, of the 54.824 acre tract described in the above and foregoing plat of Friendswood ISD High School Campus, do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement above the ground level upward, to all public easements shown hereon.

WITNESS our hand in the City of Friendswood, Texas, this _____ day of _____, 20____.

Tony Hopkins
President

Rebecca Hillenburg
Secretary

STATE OF TEXAS §

COUNTY OF GALVESTON §

BEFORE ME, the undersigned authority, on this day personally appeared Tony Hopkins, President and Rebecca Hillenburg, Secretary, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein expressed (add for corporations, "and in the capacity therein and herein stated, and as the act and deed of said corporations").

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

(Print Name)

My Commission Expires:

I, Joel D. Walker, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eights (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone, and that the plat boundary error of closure is within 1:10,000.

Joel D. Walker
Texas Registration No. 5189

This is to certify that the Planning and Zoning Commission of the City of Friendswood, Texas, has approved this plat and subdivision of Friendswood ISD High School Campus in conformance with all of the existing rules and regulations of the City as adopted by the City Council and authorized the recording of this plat this _____ day of _____, 20____.

By: _____
Becky Bennett
Development Coordinator

By: _____
Joe Matranga
Chairman

I, Jil Arias, P.E., CFM, City Engineer and Director of Engineering of the City of Friendswood, Texas, do hereby certify the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the City of Friendswood, Texas and further it complies with all of the ordinances as currently adopted by City Council.

By: _____
Jil Arias, P.E., CFM
City Engineer/Director of Engineering

I, Dwight D. Sullivan, County Clerk, Galveston County, Texas, do hereby certify that the written instrument was filed for record in my office on _____, 20____ at _____ o'clock, _____m, and duly recorded on _____, 20____ at _____ o'clock, _____m, instrument # _____, Galveston County Records.

Witness my hand and seal of office, at Galveston, Texas, the day and date last above written.

Dwight D. Sullivan
County Clerk
Galveston County, Texas

By: _____
Deputy

Approved by the GALVESTON COUNTY CONSOLIDATED DRAINAGE DISTRICT

Director

Date

Director

Date

The approval granted by these signatures does not constitute the District's approval for the granting of any construction or building permit. This preliminary approval shall expire in (6) months.

GCODD's Reference Number: G210010

LEGAL DESCRIPTION

54.824 ACRES
2,388,133 SQUARE FEET
SARAH MCKISSICK SURVEY
ABSTRACT NO. 151
CITY OF FRIENDSWOOD
GALVESTON COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 54.824 acre (2,388,133 square foot) tract of land located in the Sarah McKissick Survey, Abstract Number 151, City of Friendswood, Galveston County, Texas and said 54.824 acre tract of land being all of the remainder of a called 41.558 acre tract described in the deed to Friendswood Independent School District recorded under Book 1835, Page 6 of the Galveston County Deed Records (G.C.D.R.) and all of Lot 1, Block 1, Final Plat of Friendswood High School Expansion, a subdivision recorded under Volume (Vol.) 18, Page (Pg.) 990 of the Galveston County Map Records (G.C.M.R.) and all of Lots 2-4 and Lots 6-9, Brenham Estates, a subdivision recorded under Vol. 18, Pg. 604, G.C.M.R. and said 54.824 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to the Texas Coordinate System, South Central Zone, NAD 1983.)

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "CL Davis" found marking the south corner of the intersection of southeasterly Right-of-Way (R.O.W.) line of Mustang Road (based on a width of 80 feet) recorded under Vol. 1835, Pg. 6, G.C.D.R. and the southwesterly R.O.W. line of Greenbriar Drive (based on a width of 70 feet) recorded under Book 105, Pg. 151, G.C.M.R. and being the most easterly north corner of the herein described tract;

THENCE, South 48 degrees 16 minutes 17 seconds East, departing the southeasterly R.O.W. line of said Mustang Road and along the southwesterly R.O.W. line of said Greenbriar Drive, a distance of 988.10 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc." set marking the west corner of the intersection of the southwesterly R.O.W. line of said Greenbriar Drive and the northwesterly R.O.W. line of West Castlewood Avenue (based on a variable width) recorded under Vol. 15, Pg. 119, G.C.M.R. and the east corner of the herein described tract;

THENCE, South 41 degrees 28 minutes 32 seconds West, departing the southwesterly R.O.W. line of said Greenbriar Drive and along the northwesterly R.O.W. line of said West Castlewood Avenue, a distance of 102.18 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc." set marking the beginning of a non-tangent curve to the left in the southeasterly line of the herein described tract;

THENCE, in a southerly direction, along said curve to the left, continuing along the northwesterly R.O.W. line of said West Castlewood Avenue, having a radius of 235.00 feet, a central angle of 21 degrees 07 minutes 18 seconds (chord bears South 13 degrees 48 minutes 25 seconds West, 86.14 feet, and an arc distance of 86.23 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc." set in the northwesterly R.O.W. line of said West Castlewood Avenue and marking the north corner of Reserve "A", Wilderness Trails, a subdivision recorded under Vol. 15, Pg. 119, G.C.M.R. and an angle in the southeasterly line of the herein described tract;

NOTES:

1. THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204, STATE PLANE COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE (LOCAL COORDINATES) BY DIVIDING THE DEPICTED COORDINATE BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.99987089767 (X+S.F.=SURFACE VALUE).

2. BEARINGS DEPICTED HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).

3. ACCORDING TO F.I.R.M. MAP NO. 48167C0014G (COMMUNITY-PANEL NO. 4854680014G), MAP REVISED DATE: AUGUST 15, 2019, THE SUBJECT PROPERTY LIES WITHIN THE AREA DESIGNATED AS ZONE "X" UNSHADED. DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.

THIS STATEMENT IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE ABOVE REFERENCED MAP. THIS INFORMATION IS TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

4. SIDEWALKS AND ADA RAMPS ARE REQUIRED ALONG ALL CURB AND GUTTER STREETS PER THE APPROVED SIDEWALK ACCESSIBILITY PLAN. THE DEVELOPER MUST INSTALL SIDEWALKS ALONG RESERVES AND COMMON AREAS PRIOR TO THE CITY COUNCIL'S ACCEPTANCE OF THE SUBDIVISION INFRASTRUCTURE. WHEN SIDEWALKS ARE REQUIRED THEY SHALL BE A WIDTH OF NO LESS THAN FOUR FEET AND COMPLY WITH FEDERAL, STATE, AND LOCAL REQUIREMENTS.

5. NO RESIDENTIAL, COMMERCIAL OR INDUSTRIAL STRUCTURE SHALL BE PERMITTED TO BE BUILT NEARER THAN 150 FEET FROM ANY WELL OR RELATED FACILITY, OTHER THAN STRUCTURES NECESSARY TO OPERATE THE WELL OR FACILITY.

6. EXCEPT FOR LOW-PRESSURE DISTRIBUTION SYSTEM PIPELINES AS DEFINED IN CHAPTER 26, OF THE FRIENDSWOOD CITY CODE, NO RESIDENTIAL, COMMERCIAL OR INDUSTRIAL STRUCTURE SHALL BE ERCTED OR MOVED TO A LOCATION NEARER THAN 50 FEET TO ANY PIPELINE, OTHER THAN STRUCTURES NECESSARY TO OPERATE THE PIPELINE.

7. THE CITY OF FRIENDSWOOD SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS (DRIVEWAYS, SIDEWALKS, AND EMERGENCY ACCESS EASEMENTS), WATERLINES, SANITARY SEWER LINES, STORM SEWER FACILITIES (DETENTION PONDS, DRAINAGE EASEMENTS, OUTFALLS AND SWALES), RECREATIONAL AREAS, RESERVES AND OTHER PRIVATE FACILITIES THAT ARE WITHIN PRIVATE EASEMENTS; THE FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT SHALL BE RESPONSIBLE FOR THESE ITEMS. THE CITY OF FRIENDSWOOD SHALL BE RESPONSIBLE FOR MAINTENANCE OF PUBLIC STREETS, SIDEWALKS, STREET SIGNS, WATERLINES, SANITARY SEWER LINES, STORM SEWER FACILITIES, DRAINAGE EASEMENTS, OUTFALLS AND SWALES THAT ARE WITHIN THE PUBLIC RIGHT-OF-WAY OR WITHIN PUBLIC AND/OR EXCLUSIVE EASEMENTS. THE MAINTENANCE OF STREET LIGHTS SHALL BE THE RESPONSIBILITY OF TEXAS NEW MEXICO POWER.

8. ALL UTILITY COMPANIES HAVE BEEN CONTACTED AND THE EASEMENTS SHOWN ON THE PLAT CONSTITUTE ALL OF THE EASEMENTS REQUIRED BY THE UTILITY COMPANIES FOR THEIR OPERATIONS.

9. THE FINISHED FLOOR ELEVATIONS OF ALL STRUCTURES SHALL BE LOCATED ABOVE THE BASE FLOOD ELEVATION ESTABLISHED BY FEMA, AND AS PRESCRIBED IN THE FLOOD DAMAGE PREVENTION ORDINANCE OF THE CITY OF FRIENDSWOOD, TEXAS.

10. ANY AND ALL RIGHT OF WAY ISLANDS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT, EVEN IF NOT SHOWN ON THE FACE OF THE PLAT, SHALL BE MAINTAINED BY FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT.

11. ALL EXISTING PIPELINES OR PIPELINE EASEMENTS THROUGH THE SUBDIVISION HAVE BEEN SHOWN.

12. THE SUBJECT TRACT IS AFFECTED BY THE ENROACHMENT AGREEMENT BETWEEN FRIENDWOOD INDEPENDENT SCHOOL DISTRICT AND TEPPCO CRUDE PIPELINE, LLC RECORDED UNDER G.C.C.F. No. 2009047758.

13. ACCORDING TO THE TEXAS RAILROAD COMMISSION WEBSITE, THE 8" PIPELINE OPERATED BY THOMPSON WEBSTER PIPELINE, INC. HAS BEEN ABANDONED AND SOLD TO A SALVAGE COMPANY FOR REMOVAL.

14. THE SUBJECT IS AFFECTED BY THE UNLOCATABLE PIPELINE EASEMENT RECORDED UNDER VOLUME 503, PAGE 118, GALVESTON COUNTY DEED RECORDS.

THENCE, South 41 degrees 28 minutes 32 seconds West, departing the northwesterly R.O.W. line of said West Castlewood Avenue and along the northwesterly line of said Wilderness Trails, a distance of 1,504.53 feet, to a 5/8-inch iron rod found in the northeasterly line of Lot 64, Block 3, Wilderness Trails Section III, a subdivision recorded under Vol. 18, Pg. 293, G.C.M.R. and marking the most northerly west corner of Lot 14, said Wilderness Trails and the south corner of the herein described tract;

THENCE, North 48 degrees 12 minutes 20 seconds West, along the northeasterly line of said Wilderness Trails Section III, a distance of 40.00 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc." set marking an angle in the northeasterly line of said Wilderness Trails Section III and the southeasterly line of herein described tract;

THENCE, North 48 degrees 20 minutes 40 seconds West, continuing along the northeasterly line of said Wilderness Trails Section III, a distance of 451.33 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc." set marking the south corner of the called 0.5739 acre tract described in deed to City of Friendswood recorded under Galveston County Clerk's File Numbers (G.C.C.F. No.) 8457504 and 8507123 and an exterior corner of the herein described tract;

THENCE, North 41 degrees 39 minutes 20 seconds East, departing the northwesterly line of said Wilderness Trails Section III and along the southwesterly line of said called 0.5739 acre tract, a distance of 100.00 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc." set marking the east corner of said called 0.5739 acre tract and an interior corner of the herein described tract;

THENCE, North 48 degrees 20 minutes 40 seconds West, along the northeasterly line of said called 0.5739 acre tract, a distance of 250.00 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc." set marking the north corner of said called 0.5739 acre tract and an interior corner of the herein described tract;

THENCE, South 41 degrees 39 minutes 20 seconds West, along the northwesterly line of said called 0.5739 acre tract, a distance of 100.00 feet, to the northeasterly line of Lot 24, Block 3, aforesaid Wilderness Trails Section III, and the west corner of said called 0.5739 acre tract and an exterior corner of the herein described tract, from which a 5/8-inch iron rod found bears, North 44 degrees 54 minutes East, 0.39 feet;

THENCE, North 48 degrees 20 minutes 40 seconds West, along the northeasterly line of said Wilderness Trails Section III, a distance of 802.04 feet, to a 1/2-inch iron rod found marking an angle in the northeasterly line of said Wilderness Trails Section III and the most westerly west corner of the herein described tract;

THENCE, North 13 degrees 59 minutes 41 seconds West, continuing along the northeasterly line of said Wilderness Trails Section III, a distance of 266.08 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set in the southeasterly R.O.W. line of Falling Leaf Drive (based on a variable width) recorded under Book, 105, Pg. 151, G.C.M.R. and Vol. 18, Pg. 949, G.C.M.R. and marking the north corner of said Wilderness Trails Section III and the most northerly west corner of the herein described tract;

GALVESTON COUNTY DRAINAGE DISTRICT NOTES:

1. BUILDINGS, FENCES, OR OTHER PERMANENT IMPROVEMENTS SHALL NOT BE ERCTED IN GALVESTON COUNTY CONSOLIDATED DRAINAGE DISTRICT (THE DISTRICT) RIGHT-OF-WAYS OR DRAINAGE EASEMENTS.

2. THE DETENTION AND DRAINAGE FACILITIES ARE TO BE MAINTAINED BY THE PROPERTY OWNER UNLESS ALL REQUIREMENTS MENTIONED IN NOTE # 3 HAVE BEEN SATISFIED AND THE DISTRICT HAS ACCEPTED THE FACILITY FOR MAINTENANCE.

3. THE DETENTION FACILITY IS TO BE MAINTAINED BY THE DISTRICT PROVIDED THAT THE DISTRICT HAS APPROVED THE CONSTRUCTION OF THE FACILITY, THE DEVELOPER HAS PAID THE REQUIRED FEE, THE SITE AND ACCESS HAS BEEN DEEDED TO THE DISTRICT IN FEE, AND SUBJECT TO APPROVAL BY THE BOARD.

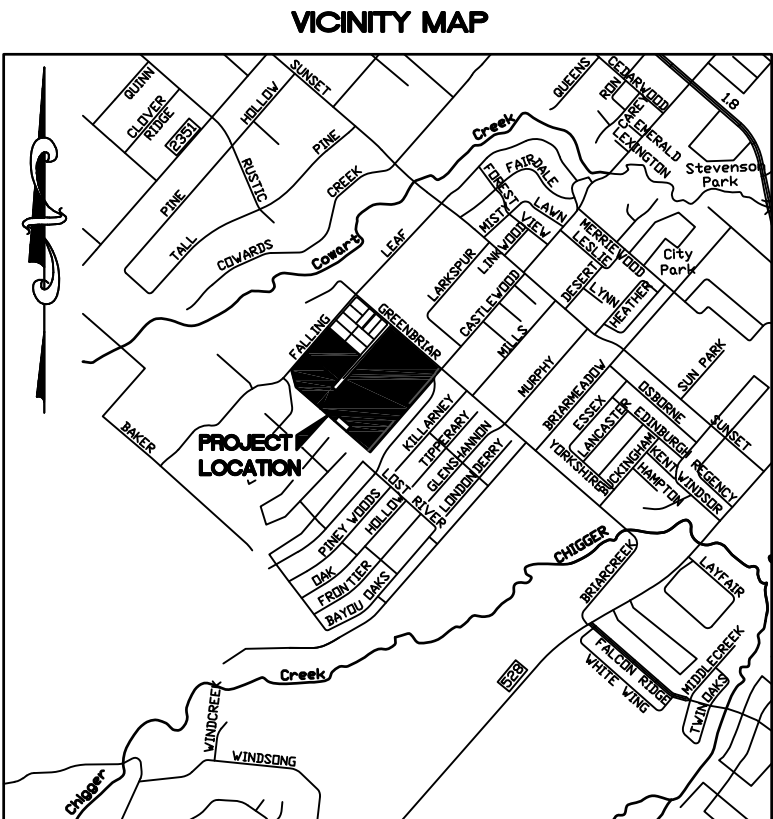
4. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THIS SUBDIVISION UNTIL A DETENTION AND DRAINAGE PLAN HAS BEEN APPROVED BY THE DISTRICT. CONSTRUCTION OF DETENTION IMPROVEMENTS SHALL PRECEDE THE CONSTRUCTION OF IMPERVIOUS COVER ON SITE.

5. ADDITIONAL DRAINAGE EASEMENTS MAY BE REQUIRED AT THE TIME A DRAINAGE PLAN IS SUBMITTED TO THE DISTRICT FOR APPROVAL.

6. PLANTINGS, FLOWERBEDS, OR OTHER LANDSCAPING IS NOT PERMITTED WITHIN SIDE LOT DRAINAGE OR DETENTION EASEMENTS.

7. NO BUILDING PERMIT SHALL BE APPLIED FOR UNTIL ALL DRAINAGE AND DETENTION FACILITIES ARE CONSTRUCTED, INSPECTED, AND APPROVED BY THE DISTRICT.

8. NO PERMANENT IMPROVEMENTS INCLUDING LANDSCAPING, PAVING, TREES, SPRINKLERS, UTILITIES, PLAYGROUND EQUIPMENT, PARK BENCHES, TABLES, SPORT FIELDS, PIERS, OR SIDEWALKS SHALL BE CONSTRUCTED WITHIN THE DETENTION FACILITY (INCLUDING MAINTENANCE BERMS) WITHOUT SPECIFIC, PRIOR APPROVAL OF THE DISTRICT.



KEY MAP 656G
SCALE: 1" = 3000'

THENCE, North 41 degrees 43 minutes 11 seconds West, along the southeasterly R.O.W. line of said Falling Leaf Drive, a distance of 882.99 feet, to a 1/2-inch iron rod found marking the west corner of the tract described in the deed to Paul Douglas Hahn and Tina M. Hahn recorded under G.C.C.F. No. 2010024875 and the most westerly north corner of the herein described tract;

THENCE, South 48 degrees 16 minutes 19 seconds East, departing the southeasterly R.O.W. line of said Falling Leaf Drive and along the southwesterly line of Hahn tract and Lot 1, Mustang Acres, a subdivision recorded under Vol. 18, Pg. 434, G.C.M.R., a distance of 647.70 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set in the northwesterly R.O.W. line of aforesaid Mustang Road and marking the south corner of said Lot 1 and an exterior corner of the herein described tract;

THENCE, South 41 degrees 43 minutes 41 seconds West, along the northwesterly R.O.W. line of said Mustang Road, a distance of 661.55 feet, to a 5/8-inch iron rod with cap stamped "4464" found marking an exterior corner of said Mustang Road, and an interior corner of aforesaid Lot 1, Block 1, Final Plat of Friendswood High School Expansion and the herein described tract;

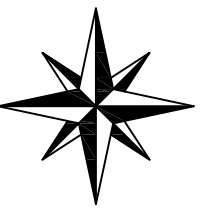
THENCE, South 48 degrees 17 minutes 02 seconds East, along the southwesterly R.O.W. line of said Mustang Road, a distance of 80.00 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying" set marking an exterior corner of said Mustang Road and said Lot 1, Block 1, Final Plat of Friendswood High School Expansion and an interior corner of the herein described tract;

THENCE, North 41 degrees 43 minutes 41 seconds East, along the southeasterly R.O.W. line of said Mustang Road, a distance of 1,313.33 feet, to the POINT OF BEGINNING and containing a computed area of 54.824 acres (2,388,133 square feet) of land.

PRELIMINARY PLAT OF
**FRIENDSWOOD ISD
High School
Campus**
A SUBDIVISION OF
54.824 ACRES
BEING A PLAT OF ALL OF LOT 2 AND
PARTIAL PLAT OF LOTS 1, 3, AND 4,
BLOCK H OF CENTRAL PARK,
VOL. 105, PG. 151, G.C.D.R.
AND A REPLAT OF ALL OF LOTS 2-4 AND
6-9 OF BRENHAM ESTATES,
VOL. 18, PG. 601, G.C.P.R.,
AND ALL OF LOT 1, BLOCK 1, FINAL PLAT
FRIENDSWOOD HIGH SCHOOL EXPANSION,
VOL. 18, PG. 990, G.C.P.R.
OUT OF THE
SARAH MCKISSICK SURVEY,
ABSTRACT NO. 151
CITY OF FRIENDSWOOD,
GALVESTON COUNTY, TEXAS
1 BLOCK 1 RESERVE

REASON FOR REPLAT:
TO CREATE 1 RESERVE RESTRICT TO
SCHOOL AND RELATED USES AND
ABANDON DRAINAGE & UTILITY
EASEMENTS

AUGUST 2021

WEST  BELT
SURVEYING, INC.

21020 PARK ROW
KATY, TEXAS 77449

PHONE: (281) 599-8288
FAX: (281) 492-6026

CERTIFIED FIRM NO. 10073800

OWNER:
FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT
TONY HOPKINS, PRESIDENT
302 LAUREL DRIVE
FRIENDSWOOD, TEXAS 77548
281-485-1207



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consider the approval of the Replat Reserve A5 of Forest Creek Subdivision.

Action:

SUMMARY / ORIGINATING CAUSE

The proposed plat is the remaining 3.2893 acres out of Reserve A in Forest Creek Subdivision located on Friendswood Link Road.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

The plat was reviewed by staff in the following departments: Planning, Public Works, Engineering, Fire Marshal, and Police Department. No comments remain. See attached Compliance Memo.

ATTACHMENTS

1. Compliance Memo_Forest Creek Res A5 Partial Replat
2. Plat_Forest Creek Res A5 Partial Replat

Memo

To: Planning and Zoning Commission
From: Becky Bennett, Development Coordinator
Date: July 29, 2021
Re: Partial RePlat Reserve A5 of Forest Creek Subdivision

Project Description: The proposed plat is the remaining 3.2893 acres out of Reserve A in Forest Creek Subdivision located on Friendswood Link Road.

The plans were reviewed by staff in the following departments: Planning, Public Works, Engineering, Fire Marshal, and Police Department.

Approval Options:

- ☐ Approval
- Standards for approval. The Commission shall approve a plat if:
- (1) It conforms to the general plan of the City of Friendswood and the current and futures streets, alleys, parks, playgrounds, and public utility facilities;
 - (2) It conforms to the general plans for extension of roads, streets, and public highways, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and
 - (3) It conforms to the Subdivision Ordinance and Local Government Code Chapter 212.

- ☐ Conditional Approval with the following conditions*

- ☐ Disapproval due to the following reasons*

*Each condition or reason specified must be directly related to the requirements under the subdivision platting law and include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable, and conditions or reasons may not be arbitrary.

*Requires reconsideration by the Planning and Zoning Commission.

Outstanding Conditions/Reasons*:

None.

Staff Comments:

None.

STATE OF TEXAS
COUNTY OF HARRIS

WE, MY FRIENDSWOOD, LLC, ACTING BY AND THROUGH SALIM KARAVALIYA, MANAGING MEMBER, HERINAFTER REFERRED TO AS THE OWNERS OF THE 3.2893 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PARTIAL REPLAT RESERVE A5, OF FOREST CREEK SUBDIVISION, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT ABOVE THE GROUND LEVEL UPWARD, TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

IN TESTIMONY WHEREOF, MY FRIENDSWOOD, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY SALIM KARAVALIYA, MANAGING MEMBER, THEREUNTO AUTHORIZED, THIS _____DAY OF _____,2021.

MY FRIENDSWOOD, LLC

By: _____
SALIM KARAVALIYA, MANAGING MEMBER

STATE OF TEXAS

COUNTY OF GALVESTON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED SALIM KARAVALIYA, MANAGING MEMBER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN SET FORTH.

WITNESS MY HAND AND SEAL OF THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

CITY OF FRIENDSWOOD

THIS IS TO CERTIFY THAT THE PLANNING & ZONING COMMISSION OF THE CITY OF FRIENDSWOOD, TEXAS, HAS APPROVED THIS FINAL PLAT AND SUBDIVISION OF PARTIAL REPLAT RESERVE A5, OF FOREST CREEK SUBDIVISION, IN CONFORMANCE WITH ALL OF THE EXISTING RULES AND REGULATIONS OF THE CITY AS ADOPTED BY THE CITY COUNCIL AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2021.

BY: _____
BECKY BENNETT, DEVELOPMENT COORDINATOR

BY: _____
JOE MATRANGA, CHAIRMAN

I, JILDARDO ARIAS, P.E., CFM, CITY ENGINEER/DIRECTOR OF ENGINEERING TO THE CITY OF FRIENDSWOOD, TEXAS, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL OF THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE CITY OF FRIENDSWOOD, TEXAS AND FURTHER IT COMPLIES WITH ALL OF THE ORDINANCES AS CURRENTLY ADOPTED BY CITY COUNCIL.

BY: _____
JILDARDO ARIAS, P.E., CFM,
CITY ENGINEER/DIRECTOR OF ENGINEERING

I, TOBY PAUL COUCHMAN, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT ALL BEARINGS, DISTANCES, AND OTHER ASSOCIATED BOUNDARY INFORMATION ON THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTER INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET, AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER AND THAT THE BOUNDARY CLOSURES TO WITHIN 1:10,000.

PURPOSE OF DOCUMENT: PLAT REVIEW
SURVEYOR OF RECORD: TOBY PAUL COUCHMAN
REGISTRATION #5565
RELEASE DATE: 07/26/2021

TOBY PAUL COUCHMAN
TEXAS REGISTRATION NO. 5565

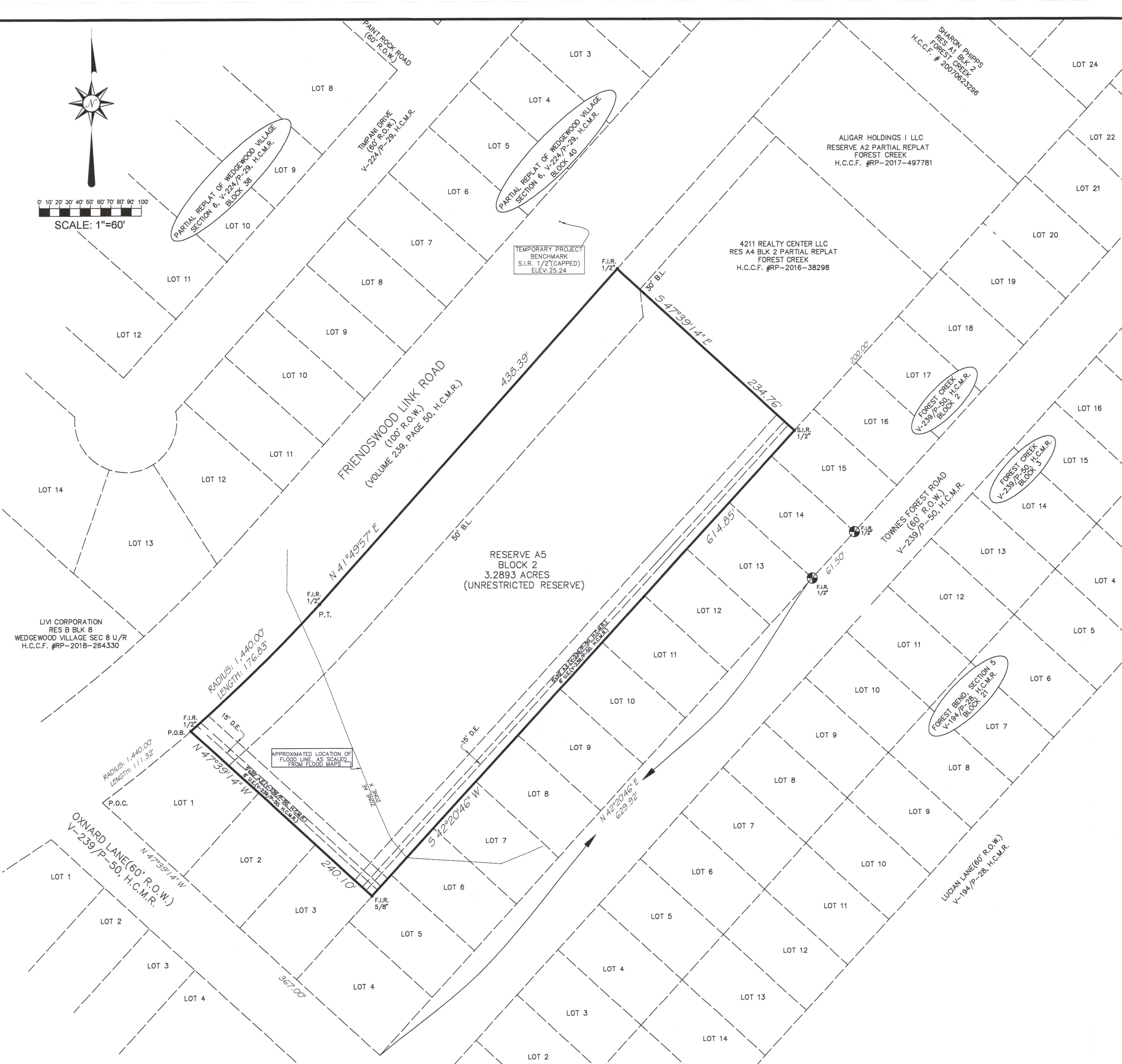
"PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEW OR RELIED UPON AS A FINAL SURVEY DOCUMENT"

I, TENESHIA HUDSPETH CLERK OF THE COUNTY OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2021 AT _____ O'CLOCK ____ M., AND DULY RECORDED ON _____, 2021, AT _____ O'CLOCK ____ M., AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

TENESHIA HUDSPETH CLERK OF THE COUNTY COURT
HARRIS COUNTY, TEXAS,

BY: _____
DEPUTY



LEGAL DESCRIPTION OF THE LAND:

BEING A 3.2893 ACRE TRACT OF LAND IN THE SARAH MCKISSICK SURVEY, ABSTRACT NO. 549, HARRIS COUNTY, TEXAS AND BEING THE REMAINDER OF RESERVE "A" OF FOREST CREEK, PER PLAT RECORDED IN VOLUME 239, PAGE 50 OF THE HARRIS COUNTY MAP RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BASED ON SAID PLAT;

COMMENCING AT THE INTERSECTION OF THE NORTHEAST LINE OF OXNARD LANE (60.00 FEET WIDE) PER THE PLAT OF FOREST CREEK RECORDED IN VOLUME 239, PAGE 50 HARRIS COUNTY MAP RECORDS, WITH THE SOUTHEAST LINE OF FRIENDSWOOD LINK ROAD (100.00 FEET WIDE), AND THE MOST WESTERLY CORNER OF LOT 1 OF BLOCK 2 OF SAID FOREST CREEK, SAID POINT BEING IN A CURVE CONCAVE TO THE NORTHWEST;

THENCE NORTHEASTERLY, 111.32 FEET ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID FRIENDSWOOD LINK ROAD AND SAID CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1,440.00 FEET, A CENTRAL ANGLE OF 04° 25' 45", AND WHOSE CHORD BEARS N 51° 05' 07" E, 111.29 FEET, AN ARC DISTANCE OF 111.32 FEET TO THE NORTH CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING AND WEST CORNER OF THE HEREIN DESCRIBED TRACT; FROM WHICH A FOUND 1/2 INCH IRON ROD;

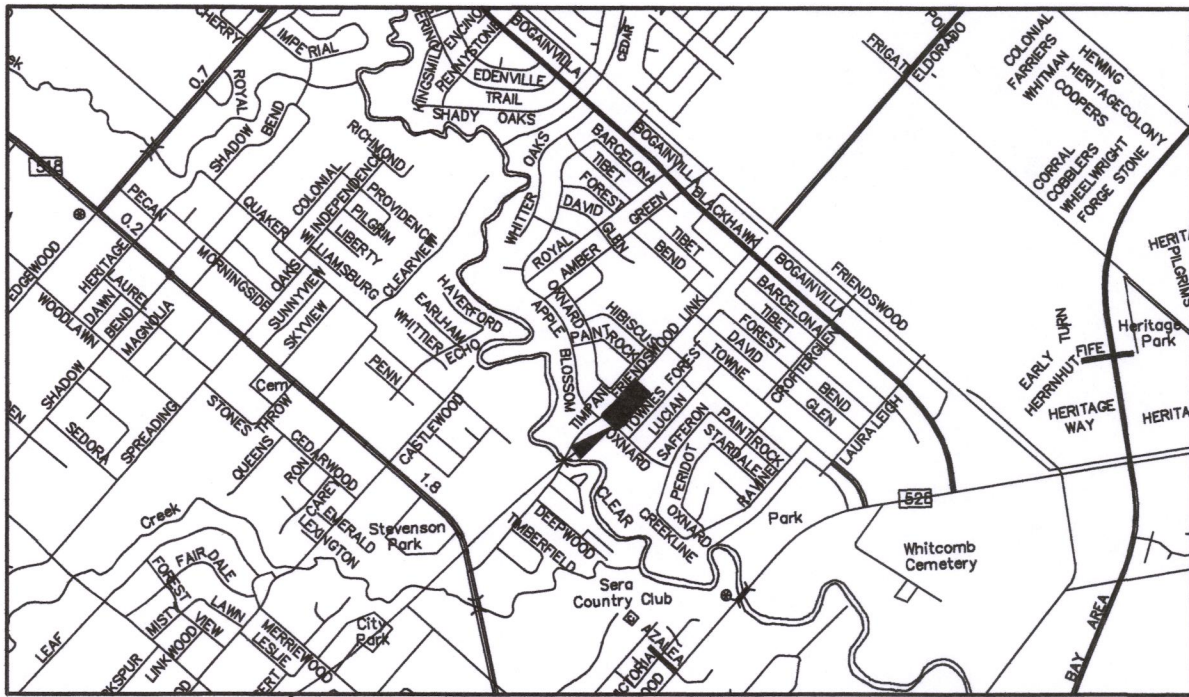
THENCE CONTINUING NORTHEASTERLY, 176.83 FEET ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID FRIENDSWOOD LINK ROAD WITH THE ARC OF SAID CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1,440.00 FEET, A CENTRAL ANGLE OF 07° 02' 09", AND A CHORD BEARING N 45° 21' 10" E, 176.72 FEET TO A 1/2 INCH IRON ROD (WITH CAP) SET MARKING A POINT OF TANGENCY;

THENCE CONTINUING ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID FRIENDSWOOD LINK ROAD, N 41° 49' 57" E, 438.39 FEET, TO A 1/2 INCH IRON ROD (WITH CAP) SET MARKING THE WEST CORNER OF A TRACT OF LAND GRANTED TO 4211 REALTY CENTER LLC, UNDER CLERK'S FILE NO. RP-2016-38298 AS DESCRIBED IN DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER K771546, AND THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG THE SOUTHWEST LINE OF SAID 4211 REALTY CENTER LLC TRACT, BEING THE NORTHEAST LINE OF THE HEREIN DESCRIBED TRACT, S 47° 39' 14" E, 234.76 FEET TO A POINT IN THE NORTHWEST LINE OF FOREST CREEK, THE SOUTH CORNER OF SAID 4211 REALTY CENTER LLC TRACT AND THE EAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG A NORTHWEST LINE OF SAID FOREST CREEK AND THE SOUTHEAST LINE OF THE HEREIN DESCRIBED TRACT, S 42° 20' 46" W, 614.85 FEET TO A POINT FOR CORNER, FROM WHICH A 5/8 INCH IRON ROD (FOUND);

THENCE ALONG A NORTHEAST LINE OF SAID FOREST CREEK AND THE SOUTHWEST LINE OF THE HEREIN DESCRIBED TRACT, N 47° 39' 14" W, 240.10 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.2893 ACRES OF LAND, MORE OR LESS.



SUBJECT VICINITY MAP SCALE 1" = 1/2 MILE (2640 FT)

GENERAL PLAT NOTES

1. R.O.W. INDICATES RIGHTS-OF-WAY.
2. INDICATES CONTROL MONUMENT.
3. INDICATES MONUMENT.
4. B.L. INDICATES BUILDING LINE.
5. F.I.R. INDICATES FOUND IRON ROD.
6. S.I.R. INDICATES SET IRON ROD.
7. P.O.C. INDICATES POINT OF COMMENCEMENT.
8. P.O.B. INDICATES POINT OF BEGINNING.
9. U.E. INDICATES UTILITY EASEMENT.
10. A.E. INDICATES AERIAL EASEMENT.
11. H.C.M.R. INDICATES HARRIS COUNTY MAP RECORDS.
12. V-/P- INDICATES VOLUME/PAGE.
13. H.C.C.F. INDICATES CLERK'S FILE OF HARRIS COUNTY.
14. NO EXISTING PIPELINES OR PIPELINE EASEMENTS ARE CONTAINED WITHIN THE LIMITS OF THIS SUBDIVISION.
15. THE FINISHED FLOOR ELEVATIONS OF ALL STRUCTURES SHALL BE LOCATED ABOVE BASE FLOOD ELEVATION ESTABLISHED BY FEMA, AND AS PRESCRIBED IN THE FLOOD DAMAGE PREVENTION ORDINANCE OF THE CITY OF FRIENDSWOOD, TEXAS.
16. SIDEWALKS AND ADA RAMP ARE REQUIRED ALONG ALL CURB AND GUTTER STREETS PER THE APPROVED SIDEWALK ACCESSIBILITY PLAN. THE DEVELOPER MUST INSTALL SIDEWALKS AND ADA RAMP ALONG RESERVES AND COMMON AREAS PRIOR TO THE CITY COUNCIL'S ACCEPTANCE OF THE SUBDIVISION INFRASTRUCTURE. WHEN SIDEWALKS ARE REQUIRED THEY SHALL BE A WIDTH OF NO LESS THAN FOUR FEET AND COMPLY WITH FEDERAL, STATE, AND LOCAL REQUIREMENTS.
17. NO RESIDENTIAL, COMMERCIAL OR INDUSTRIAL STRUCTURE SHALL BE PERMITTED TO BE BUILT NEARER THAN 150 FEET FROM ANY WELL OR RELATED FACILITY, OTHER THAN STRUCTURES NECESSARY TO OPERATE THE WELL OR FACILITY.
18. EXCEPT FOR LOW-PRESSURE DISTRIBUTION SYSTEM PIPELINES AS DEFINED IN CHAPTER 26, OF THE FRIENDSWOOD CITY CODE, NO RESIDENTIAL, COMMERCIAL OR INDUSTRIAL STRUCTURE SHALL BE ERRECTED OR MOVED TO A LOCATION NEARER THAN 50 FEET TO ANY PIPELINE, OTHER THAN STRUCTURES NECESSARY TO OPERATE THE PIPELINE.
19. THE CITY OF FRIENDSWOOD SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS (DRIVEWAYS, SIDEWALKS, AND EMERGENCY ACCESS EASEMENTS), WATERLINES, SANITARY SEWER LINES, STORM SEWER FACILITIES (DETENTION PONDS, DRAINAGE EASEMENTS, OUTFALLS AND SWALES), RECREATIONAL AREAS, RESERVES AND OTHER PRIVATE FACILITIES THAT ARE WITHIN THE PRIVATE EASEMENTS; THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THESE ITEMS; THE CITY OF FRIENDSWOOD SHALL BE RESPONSIBLE FOR MAINTENANCE OF PUBLIC STREETS, SIDEWALKS, STREET SIGNS, WATERLINES, SANITARY SEWER LINES, STORM SEWER FACILITIES, DRAINAGE EASEMENTS, OUTFALLS AND SWALES THAT ARE WITHIN THE PUBLIC RIGHT-OF-WAY OR WITHIN PUBLIC AND/OR EXCLUSIVE EASEMENTS. THE MAINTENANCE OF STREET LIGHTS SHALL BE THE RESPONSIBILITY OF CENTERPOINT ENERGY.
20. ALL UTILITY COMPANIES HAVE BEEN CONTACTED AND THE EASEMENTS SHOWN ON THE PLAT CONSTITUTE ALL OF THE EASEMENTS REQUIRED BY THE UTILITY COMPANIES FOR THEIR OPERATIONS.
21. ANY AND ALL RIGHT OF WAY ISLANDS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT, EVEN IF NOT SHOWN ON THE FACE OF THE PLAT, SHALL BE MAINTAINED BY THE PROPERTY OWNER.
22. THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, HARRIS COUNTY AND THE CITY OF FRIENDSWOOD. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY TEXAS AMERICAN TITLE COMPANY, GF NUMBER 2791021-04812, EFFECTIVE DATE MAY 17, 2021. ALL BEARINGS REFERENCES ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE

PARTIAL REPLAT RESERVE A5, OF FOREST CREEK SUBDIVISION

A TRACT OR PARCEL BEING 3.2893 ACRES IN THE SARAH MCKISSICK SURVEY, ABSTRACT NO. 549, HARRIS COUNTY, TEXAS AND BEING THE REMAINDER OF RESERVE "A" OF FOREST CREEK, PER PLAT RECORDED IN VOLUME 239, PAGE 50 OF THE HARRIS COUNTY MAP RECORDS
HARRIS COUNTY, TEXAS

CITY OF FRIENDSWOOD, TEXAS

REASON FOR REPLAT: TO CREATE 1 RESERVE

JULY 26 2021

PRO-SURV
SURVEYING & MAPPING SERVICES
P.O. BOX 1366
FRIENDSWOOD, TX 77549
PHONE: 281.996.1113
EMAIL: orders@prosurv.net
T.B.P.E.L.S. FIRM #10119300

OWNER
MY FRIENDSWOOD, LLC
SALIM KARAVALIYA,
MANAGING MEMBER
1117 DEER VALLEY DRIVE
FRIENDSWOOD, TEXAS 77546
PHONE: 832-357-7443



FRIENDSWOOD PLANNING & ZONING COMMISSION

AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consideration and possible action regarding a recommendation to City Council regarding proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2. Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.

Action:

SUMMARY / ORIGINATING CAUSE

These proposed changes are the result of discussions with the property owner and engineer of record for the proposed Panhandle PUD. The owner agreed to withdraw the PUD zone change application and these are the ordinance amendments that will make his development feasible, but also still be beneficial to other developments with the Industrial (I) zoning district.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Relaxing and amending some of the development regulations as they pertain to Industrial (I) zoning district and common developments will make many developments more feasible.

RECOMMENDATIONS

The Ordinance Subcommittee has reviewed these ordinance amendments and provides their approval.

ATTACHMENTS

1. Legal Newspaper Ad
2. Sec. 7.5 COD Bounday FM 2351
3. Sec. 7.P.6. PUT Amendments
4. Sec. 8.I.2. Screening and lighting
5. Sec. 20 Definitions

CLASSIFIEDS 281-485-7501

LEGALS

Published July 21 & 28, 2021

NOTICE OF REQUEST FOR PROPOSALS

Friendswood Independent School District will accept proposals, for the #21-011 Supply of Electricity, until 3:00 P.M., August 16, 2021 (the "Due Date"). Proposals must be delivered before the Due Date to Friendswood Independent School District, 302 Laurel Drive, Friendswood, TX 77546 as further specified in the proposal (RFP) documents. This request for proposals is for electrical power and also related electrical power demand response and ancillary services as specified and detailed in the proposal documents, which may be obtained from AEG Affiliated Energy Group, Retail Division, fax (214) 292-8514, or email FriendswoodISD@affiliatedenergy.com. Interested parties must request proposal documents at least 24 hours prior to the Due Date. Friendswood ISD reserves the right to accept or reject any or all proposals, waive all informalities or irregularities and award the proposal in the best interest of Friendswood ISD. The proposal process will be conducted in accordance with the proposal procedures as set forth in the Texas Education Code 44.031.

LEGALS

Published July 14 & 21, 2021

CITY OF PEARLAND, TEXAS NOTICE TO BIDDERS

Sealed bids will be received by the City of Pearland Purchasing Division, 3519 Liberty Dr., until **11:00 a.m., CST, Thursday, July 29, 2021** and all bids will be publicly acknowledged by name via virtual meeting. Interested parties may join the meeting by calling into the meeting at: Dial in #: 281-652-1955; Meeting #: 1790#; Access Code #: 0971# on that date for:

TREE MAINTENANCE SERVICES BID NO. 0721-50

Bid forms, specifications and all necessary information may be obtained from the following website: <https://pearland.ionwave.net>. Vendors are encouraged to return the bid response electronically using the City's e-bid system but may submit by hard-copy to City Secretary, with either manner due by the closing date and time stated above.

The City reserves the right to reject any or all bids, or to accept any bid or combination of bids deemed advantageous to it.

Vendors should register on the City's e-bid system at <https://pearland.ionwave.net> (if not already registered). Once registered on the City's e-bid system, bid documents may be viewed on the site. If further assistance is needed, please email ebids@pearlandtx.gov no later than 9:00 a.m. Thursday, July 22, 2021. Make reference to **Bid Number 0721-50**. Bid Closing Date: **July 29, 2021**.

Crystal Roan
City Secretary, City of Pearland

First Publication: July 14, 2021
Second Publication: July 21, 2021

LEGALS

Published July 14 & 21, 2021

NOTICE TO BIDDERS CITY OF PEARLAND, TEXAS

Sealed Bids will be accepted until 2:00 p.m. Thursday, August 5, 2021 and read aloud into the public record for the following project:

Oakbrook & Oakbrook Estates Water Quality City of Pearland, Texas COP PN: WA1906 & WA2003 BID NO.: 0721-52

The project area is located North of Dixie Farm Rd in the Oakbrook and Oakbrook Estates subdivisions. Project address is 2753 Biscayne Bay Dr, Pearland, TX 77584. Streets included in Phase 1 are: Oak Lane Circle, Oak Cluster Circle, Oak Gate Circle, Oakbrook Circle, Oak Fork Circle, Oak Tree Circle, Oak Shire Drive, Castle Oaks Drive, Barretts Glen Drive, and Oak Lodge Drive. Streets included in Phase 2 are: Oak Bent Drive, Branch Hill Drive, Oak Lodge Drive, Scarlet Oak Drive, Oak Top Drive, East Baden Oaks Drive, Dixie Hill Court, Oak Point Court, Bracket Drive, Oak Leaf Circle, Oak Land Circle, Oak Point Drive, Pin Oak Drive N, Oak Place Court, Oak Trace Court, Oak Chase Court, Oak Bark Court, Majestic Oaks Court, and Winding Forest Drive.

The project will entail the addition of approximately 4,500 linear feet of new 6-inch diameter water line construction, and associated valves, connections, appurtenances, hydrostatic testing, and disinfection. The proposed water lines are to be installed by primarily trenchless construction.

A mandatory pre-bid conference will be held at City Hall at 3519 Liberty Dr, Pearland, Texas 77581 at 10:00 a.m. on Thursday, July 22, 2021.

All bids should be submitted through the E-Bid system located on the City's website at: <https://pearland.ionwave.net/Login.aspx>. All interested Bidders are advised to register as a "supplier" on the City's E-Bid System at the above website by clicking on "Supplier Registration" and completing a short registration questionnaire. Electronic Bid Documents, including Plans, Technical Specifications and Bid Forms are available for download after registration is approved by City Purchasing office. No plan fees or deposits are required for bid documents obtained through the City's E-bid System. Questions regarding electronic bidding should be directed to City Purchasing Office at ebids@pearlandtx.gov.

Bid Documents are also available for review at the following plan houses:
Amtek Plan Room (713) 956-0100
The Associated General Contractors of America, Inc. (713) 334-7100
Associated Builders & Contractors of Greater Houston (713) 523-6222
Dodge Reports (713) 316-9411

Bid Security, in the form of Cashier's Check, Certified Check, or Bid Bond, payable to the City of Pearland in the amount of 5% of the total base bid price, must accompany each Bid proposal. See Instructions to Bidders for Bond submittal information and instructions.

The City of Pearland reserves the right to reject any or all bids.

Crystal Roan,
City Secretary, City of Pearland

First Publication date July 14, 2021
Second Publication date July 21, 2021

LEGALS

Published July 21 & 28, 2021

NOTICE TO BIDDERS FRIENDSWOOD I.S.D. RFP #21-010

FISD REQUEST FOR PROPOSAL #21-010 PROMOTIONAL ITEMS & APPAREL

The Friendswood Independent School District will be accepting Sealed Proposals (Texas Education Code 44.031) for PROMOTIONAL ITEMS & APPAREL. Sealed proposals can be submitted online or to FISD's Administration Building at 302 Laurel Drive, Friendswood, Texas 77546. Proposals must be received on or before 2:00 p.m., August 25, 2021. Bid packets are available on FISD's website www.myfisd.com/information-for-vendors or through the Public Purchase website www.publicpurchase.com. Please contact cbtain@fisdk12.net with any questions. The Friendswood Independent School District reserves the right to postpone, to accept or to reject any and all proposals as it deems to be in its best interest and to waive formalities and reasonable irregularities.

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change to Amend Avalon at Friendswood Planned Unit Development (PUD) 2019-37 to Incorporate 26.921 Acres of Annexed Property (no zoning district assigned)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for 183.386 acres of land located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.224 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.**

The Planning and Zoning Commission will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The City Council will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

The City of Friendswood is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. For assistance, please contact the City's ADA Coordinator Brian Rouane at 281-996-3285 via phone, 281-482-1634 via fax or contact 281-996-3285 via Relay Texas at 711 or 1-800-735-2988 for TYY services. For more information concerning Relay Texas, please visit <http://relay-texas.com>.

Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Accommodate the Development of Industrial (I) Zoned Properties in the Panhandle Area

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 7.P.6. Permitted Use Table to allow NAICS use #524 Insurance carriers and related activities, #541 Professional, scientific and technical services, #551 Management of companies and enterprises, and #561 Administrative and support services as "Permitted" in the Industrial (I) zoning district; amend Section 8.I.2.Perimeter landscaping and screening to allow the Commission to consider alternate screening plans for uses interior to a common development; Section 8.J.c. Lighting and glare to increase the foot-candles allowed interior to common developments; Section 7.5 Community Overlay District (COD) boundary to reduce the COD boundary on FM 2351 from 300 feet to 150 feet from Beamer Road to Clear Creek; and Section 20. Definitions to add a definition of Common Development.

The **Planning and Zoning Commission** will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

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Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding Zoning Ordinance Amendments: Intended to Increase Mitigation Requirements to Promote Preservation of Existing Trees

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

Proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.

The **Planning and Zoning Commission** will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The **City Council** will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

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Leticia Brysch, City Secretary

LEGALS

Published July 21, 2021

NOTICE OF PUBLIC HEARINGS OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS

Notice is hereby given that the City Council of the City of Pearland, in Brazoria, Harris and Fort Bend Counties, Texas, the City Council of the City of Pearland will hold a hearing and Ordinance adoption consideration on Monday, **July 26, 2021**, at 6:30 p.m., at City Hall, 3519 Liberty Dr., Pearland, Texas 77581, by **telephone/video conference and in-person** with social distancing protocols and restrictions in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19), for the following cases:

1. Thoroughfare Plan Amendments: A request by the City of Pearland, applicant, for approval of proposed amendments to the Thoroughfare Plan of the City's Comprehensive Plan, in accordance with Texas Local Government Code Sections 211.004 and 213.003, to promote health, safety, general welfare, and provide for adequate facilities for transportation.

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. For additional information, please contact the Planning Department at 281-652-1765.

Martin Griggs, AICP, CNU-A
Planning Manager

LEGALS

Published July 21, 2021

Notice of Public Hearings Regarding A Zone Classification Change Request to Change Approximately 3.65 Acres of Land from Community Shopping Center (CSC) to Industrial (I)

NOTICE is hereby given that the Planning and Zoning Commission and the City Council of the City of Friendswood will each hold a public hearing to give all interested parties the right to appear and express their views on the following item:

• **A zone classification change for approximately 3.65 acres out of 18.0137 acres located along FM 2351 (address not yet assigned), the 18.0137 acres more fully described in 4 tracts: 16.592 acres out of and part of Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, .0918 acres out of and part of Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, and .1119 acres of land out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas; and 1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, Film Code 688395, City of Friendswood, Harris County, Texas to change from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).**

The **Planning and Zoning Commission** will hold this public hearing on Thursday, August 12, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 7:00 P.M.

The **City Council** will hold this public hearing on Monday, September 13, 2021, in the Council Chamber, located in City Hall, 910 South Friendswood Drive, Friendswood, Texas, 77546-4856, at its meeting commencing at 5:30 P.M.

Item documentation is available for review in the City's Secretary's Office, 910 South Friendswood Drive, Friendswood, Texas 77546-485 during regular business hours. For questions regarding the details of the documentation and its related public hearing, please contact Aubrey Harbin, Director of Community Development/City Planner at 281-996-3280.

The City of Friendswood is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. For assistance, please contact the City's ADA Coordinator Brian Rouane at 281-996-3285 via phone, 281-482-1634 via fax or contact 281-996-3285 via Relay Texas at 711 or 1-800-735-2988 for TYY services. For more information concerning Relay Texas, please visit <http://relay-texas.com>.

Leticia Brysch, City Secretary

For more news visit myreporternews.com

RICKY TULLOS

OILER FOOTBALL CAMP

2nd - 9th Grade Football Camp 2021

Home of the 2010 5A Div. I State Champions

July 26-28 (M-W) at The Rig

8:00 a.m. - 11:00 a.m.

Instructors: Pearland Oilers Football Staff

COST: \$75.00 PRE-REGISTER ~ \$85 FOR WALKUPS

WEAR: SHORTS, T-SHIRT & RUNNING SHOES

BRING: A POSITIVE ATTITUDE, CLEATS, WATER BOTTLE, SUNSCREEN & MEDICATIONS

SKILLS: FOOTBALL SKILLS, WEIGHT ROOM TECHNIQUES, NUTRITION, AND LEADERSHIP DEVELOPMENT

Fo more information contact RICKY TULLOS, CAMP DIRECTOR

281.997.3281 or tullosr@pearlandisd.org



ACC player selected in MLB Draft

Alvin Community College pitcher Owen Holt was recently selected in the Major League Baseball draft by the Cincinnati Reds.

Holt, of Houston, was taken in the 16th round of the draft and was the 480th overall pick.

"Owen came in with a mid-90 MPH fastball and good secondary stuff," ACC Baseball Coach Jason Schreiber said. "His personality and leadership was the attributes that impressed me the most. There is no doubt Owen will thrive in professional baseball."

Owen pitched for ACC this past season not long after he signed on to play for Harvard University.

"He came to us for the Spring semester," Schreiber said. "He wanted to play baseball and the Ivy League was not having their season due to COVID. Immediately Owen embraced the juko life and he fit in right away."

Owen was 7-3 in the Spring season for ACC with 65 strikeouts and a 10.26 K/9 ratio.

This summer Holt has been pitching for the Williamsport Crosscutters in the MLB Draft League.



Page 167 of 278

Photo courtesy of Williamsport Crosscutters

Section 7.5. Community overlay district.

1. *General purpose and description.* The community overlay district (COD) is intended to preserve and enhance the physical characteristics of the city along its entryways and in the downtown area by promoting the safety, welfare, convenience, and enjoyment of travel along these roads; providing for unified and orderly development; and promoting and aiding economic growth. The establishment of a COD does not repeal the underlying zoning classification of property to which the COD applies. The requirements of the COD are in addition to the requirements of the underlying zoning district, with the exception of the downtown district. The COD does not apply to the DD. The DD is subject to supplementary regulations and the DD geographic limitations as shown on the official zoning map. The COD includes the following thoroughfares: FM 2351 from Friendswood City Limit to Friendswood City Limit, FM 518 from the Friendswood City Limit to the Friendswood City Limit, FM 528 from Friendswood City Limit to Friendswood City Limit, Friendswood Lakes Boulevard (also known as Brittany Bay) from Friendswood City Limit to Friendswood City Limit, Bay Area Boulevard, from Friendswood City Limit to FM 528.
2. *Boundaries.* The boundary of the COD shall be parallel to the thoroughfare right-of-way to include nonresidential properties within 300 feet from the right-of-way. If any portion of such property is within 300 feet, the entire tract is subject to the COD requirements.
 - a. Exception: The COD boundary shall be limited to a depth of 150 feet abutting FM 2351 from Beamer Road to Clear Creek.
3. *Screening.* The following uses on the site shall be screened to a height sufficient to completely screen the use from view at ground level. For the purposes of this subsection, the term "view from ground level" shall mean the view from public walkways situated in the adjoining rights-of-way or from vehicular traffic in the first two traffic lanes in the bordering streets of the COD.
 - a. All outside storage;
 - b. Industrial activities;
 - c. Off-street loading areas;
 - d. Refuse storage areas, dumpsters, and all related activities; See section 8.L.
 - e. Air conditioning, refrigeration, heating, and other mechanical and electrical equipment;
 - f. Microwave and satellite antennas not otherwise preempted from regulation by applicable law or regulation;
 - g. Detention ponds*; and
 - h. Garage bays fronting on the thoroughfares described in subsection 1 of this section.

An opaque screen composed of berms,** walls, fences, vegetation, or a combination of these materials between the property line and the development shall be used; however, in no case shall any of the above-mentioned activities be closer to the street than the setback line.

*If detention ponds are part of the landscaping plan, screening would not be necessary. Ponds may be located no closer than ten feet from abutting rights-of-way if the pond serves only the subject property.

**Berms used for any type of screening shall be limited to a height of three feet above finished grade at the front property line (not including detention facilities), and shall be landscaped.
4. *Utilities.* All permanent utilities serving the property shall be located underground, at the owner's expense.
5. *Landscaping.* The minimum landscaping requirements for areas within the COD shall be as follows:

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- a. All landscape buffers shall be provided with architectural and/or landscape materials to screen structures, facilities, drive areas, parking areas, etc. Shrubs shall be a minimum height of two feet when planted and shall be placed a maximum of two feet apart. Mature shrubs shall be maintained in a live or living condition to form a continuous hedge with a maximum height of three feet six inches.
 - b. Nothing contained in this subsection 5 shall be deemed to reduce applicable landscaping requirements contained in other sections of this Code, or any ordinance specifically applicable to a development (e.g., specific use permit or planned unit development), but instead to enhance the aesthetics along the city's major thoroughfares by requiring additional or higher percentages of landscaping.
 - c. Parking lots within the COD containing 20 parking spaces or less shall have open landscaped areas that are equal to not less than 15 percent of the parking area and drives in the parking area. The required area may be used as islands or perimeter landscaping or in any combination. A minimum of one Class 1 or Class 2 tree from the qualified tree list shall be planted and maintained for each 250 square feet, or portion thereof landscaped open space area.
 - d. Parking lots within the COD containing greater than 20 parking spaces shall have open landscaped areas equal to 20 percent of the parking area and drives in the parking area. Fifty percent of the required landscaped area must be used as islands. Perimeter landscaping shall have at least one such tree for each 30 (40 lineal feet if not located in the COD) lineal feet or fraction thereof. Each island shall have one such tree planted and maintained thereon.
 - e. If a buffer strip is required (along public rights-of-way, or to separate uses per section 8.I), the buffer shall be a minimum width of 15 feet, and shall contain not less than one tree, whether existing or planted, for each 25 lineal feet or portion thereof. Each such tree shall have a caliper of not less than two inches measured 18 inches above the natural ground level.
 - f. If, at any time, the required vegetation becomes diseased, deteriorated, or dies, the owner of the premises must replace the vegetation within 90 days of written notice from the city.
 - g. The commission may approve an alternate equal or better landscape plan in the COD, after giving due consideration to the intensity of the commercial use, the zoning classification and adjacent land uses.
6. *Architectural elements.* Garage bays or other similar large openings designed for automotive or industrial work, or designed for vehicles to drive into, shall not front a COD thoroughfare unless screened with architectural or landscaping materials as outlined under subsection 3 of this section. This prohibition shall not include drive-throughs such as are typically found at banks or fast-food establishments. In the event that COD requirements overlap at intersections, architectural requirements regarding garage bays shall apply only to the frontage on one street as designated on the site plan.
- a. *Commercial.*
 - (1) Commercial developments are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass on all sides of the building. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000. These exterior facades, as well as the roof, shall be limited to earth tone colors. Color samples shall be submitted and approved as a part of the commercial site plan.
 - (2) The design of walls and other structures located on the same site, including those used to screen outdoor storage areas, dumpsters, vehicles, etc., shall be encouraged to be constructed of the same materials as the main building on the lot. Cyclone fences are prohibited, except under limited circumstances, the commission may approve a vinyl coated cyclone fence.
 - b. *Residential.*

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- (1) Residential developments not facing a COD thoroughfare shall be required to install a visual barrier to a minimum mature height of six feet as measured from the finished grade. The barrier shall be set back from the street right-of-way line by a minimum of ten feet. Various materials may be utilized, including landscaped earth berms, provided the materials are durable and require low maintenance. All barriers shall be maintained by the owner of the property on which such barrier is located, or by a homeowners' association. If a homeowners' association is to provide such maintenance, the obligations therefor shall be set forth in writing, and filed of record in the same manner that other restrictive covenants are filed. Subdivision plats submitted for residential property along a COD corridor shall include detailed information and visual representations of the proposed barrier, and such other information as deemed necessary by the planning and zoning commission to establish compliance with this subsection.
 - (2) Trees shall be planted adjacent to the barrier, on the COD thoroughfare side, at intervals of 25 feet, with one-half having a minimum caliper of four inches and one-half having a minimum caliper of two inches. Existing qualified trees may be counted toward fulfillment of this requirement, provided that the size, species, and guaranteed duration shall meet the criteria of the landscaping section of this appendix. (Clustering of trees shall be permitted, provided, however, clustering shall not reduce the number of required trees, and trees shall not be clustered so as to lessen the survival rate of other trees.)

(Ord. No. 99-37, § 1, 10-18-1999; Ord. No. 2000-25, §§ 2—5, 8-24-2000; Ord. No. 2004-07, § 1, 8-16-2004; Ord. No. 2006-15, §§ 2, 3, 7-24-2006; Ord. No. 2007-18, § 1, 10-15-2007; Ord. No. 2008-38, § 1, 11-3-2008; Ord. No. 2010-37, § 1, 1-10-2011; Ord. No. 2013-10, § 2, 5-6-2013; Ord. No. 2019-06, § 2, 3-4-2019; Ord. No. 2020-04, § 3, 2-3-2020)

Section 7. Schedule of district regulations.

- A. *SFR, residential, general purpose and description.* The SFR, Single-Family Residential Dwelling District, is restricted to single-family dwellings, up to 2.7 units per acre, and to related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly convenient, and attractive residential area. Single-family residential areas shall be protected from higher density residential development and from the encroachment of incompatible uses. Internal stability, harmony, attractiveness, order, and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities.
1. Area and height regulations. Area and height regulations in an SFR district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the SFR district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an SFR district are set forth in subsection P of this section, permitted use table.
- A.1. *SFR-E, residential, general purpose and description.* The SFR-E, Single-Family Residential Estate Dwelling District, is the most restrictive residential district. The principal use of land in this district is for low-density single-family dwellings, up to 0.5 units per acre, and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. Low-density residential areas shall be protected from multiple-family residential development and from the encroachment of incompatible uses. Internal stability, harmony, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities.
1. Area and height regulations. Area and height regulations in an SFR-E district, are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission with the SFR-E district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an SFR-E district are the same as SFR, and are set forth in subsection P of this section, permitted use table.
- B. *(R-2 and R-3) MFR-L, residential, general purpose and description.* The MFR-L, Multiple-Family Residential Dwelling—Low-Density District, is intended to provide for lowest-density multiple-family dwellings which may have a relatively intense concentration of dwelling units served by large open spaces consisting of common areas and recreation facilities, thereby resulting in a maximum density of six dwelling units per acre. The principal use of land may be one or several dwelling types, including multiple-family dwellings, and including two-family dwellings, garden apartments, condominiums and townhouses. Recreational, religious and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical and attractive residential area. The multiple-family residential dwelling district—low functions as a buffer or transition between commercial or higher density residential areas and lower density areas. The intent of these regulations is to allow development of property which may have a limited area suitable for residential development due to a portion of the property being flood-prone or adjacent to a district of a different zoning designation.

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1. Area and height regulations. Area and height regulations in an MFR-L district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for SFR uses permitted in MFR-L districts, all the district regulations for SFR development shall apply, including but not limited to, lot area, width and setback requirements.
 2. See section 8 for supplementary district regulations.
 3. Reserved.
 4. Permitted uses. Uses permitted in an MFR-L district are set forth in subsection P of this section, permitted use table.
- C. *(R-4) MFR-M, residential, general purpose and description.* The MFR-M, Multiple-Family Residential Dwelling—Medium-Density District, is intended to provide for medium-density multiple-family dwellings which may have a relatively intense concentration of dwelling units, up to nine per acre, served by large open spaces consisting of common areas and recreation facilities, thereby resulting in medium gross densities. The principal use of land may be one or several dwelling types, including low-rise multiple-family dwellings, garden apartments, condominiums and townhouses. Recreational, religious and educational uses normally located to service adjacent residential areas are also permitted to meet the basic needs of a balanced, orderly, convenient, economical and attractive residential area. The MFR-M, multiple-family residential district, functions as a buffer or transition between commercial or higher-density residential areas, and lower-density residential areas.
1. Multifamily residential area and height regulations. Area and height regulations in an MFR-M district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for MFR-L uses permitted in MFR-M districts, all the district regulations for MFR-L development shall apply, including but not limited to lot area, width and setback requirements.
 2. See section 8 for supplementary district regulations.
 3. Reserved.
 4. Permitted uses. Uses permitted in an MFR-M district are set forth in subsection P of this section, permitted use table.
- C.1. *MFR-GHD, garden home residential, general purpose and description.* The GHD, Garden Home Residential District, is intended to provide multifamily low-density dwelling units having open space between units which exceed existing normal multifamily buildings, with density not exceeding six units per acre. The intent of these regulations is to allow development of property which:
- (1) May have limited area suitable for residential development due to geographical limitations;
 - (2) Have portions of the property subject to flooding; or
 - (3) Is located adjacent to a district of a different zoning designation, and for which the development as MFR-GHD would be appropriate as a buffer between incompatible land uses.
- The interior living area of the first floor of any two-story residential structure in MFR-GHD shall contain not less than 60 percent of the structure's total living area, and not more than 40 percent of the structure's total living area shall be contained on the second floor, excluding open decks, porches, terraces and garages.
- D. *(R-5) MFR-H, residential, general purpose and description.* The MFR-H, Multiple-Family Residential Dwelling—Highest-Density District, is a residential district intended to provide for the highest residential density ranging up to 12 dwelling units per acre. The principal use of land in the district is for a wide variety of dwelling types, including low-rise multiple-family dwellings, garden apartments, condominiums, and townhouses and, subject to a specific use permit, high-rise apartments. Recreational, religious, health and educational uses normally located to service residential areas are permitted in this district in order to provide the basic elements of a balanced, orderly, convenient, and attractive residential area. The MFR-H district is usually

located adjacent to the major street and serves as a buffer or transition between commercial development or heavy automobile traffic and medium-density residential development.

1. Area and height regulations. Area and height regulations in an MFR-H district are set forth in subsection Q.2 of this section, regulation matrix, provided, however, that for MFR-L and MFR-M uses permitted in MFR-H districts, all the district regulations for MFR-L and MFR-M development shall apply, including but not limited to lot area, width and setback requirements.
2. See section 8 for supplementary district regulations.
3. Reserved.
4. Permitted uses. Uses permitted in an MFR-H district are set forth in subsection P of this section, permitted use table.

E. *(R-6) MHR, Mobile Home District, general purpose and description.* The MHR, Mobile Home District, is a residential district intended for mobile home development, up to ten units per acre. Recreational uses normally located in mobile home developments are permitted in this district.

1. Area and height regulations. Area and height regulations in an MHR, mobile home residential dwelling district, are set forth in section 7-Q.2, regulation matrix.
2. See section 8 for supplementary district regulations.
3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the MHR district under certain circumstances and conditions.
4. Permitted uses. Uses permitted in an MHR district are set forth in subsection P of this section, permitted use table.
5. Other required conditions. The provisions of Ordinance No. 129 (Mobile Home Ordinance) of the city shall apply to the MHR district.

F. *(C-1) CSC, Community Shopping Center District, general purpose and description.* The CSC, Community Shopping Center District, is intended for a unified grouping, in one or more buildings, of several, typically between five and 20, retail and service shops or stores that provide for the regular needs and are for the convenience of the people residing in adjacent residential neighborhoods. Gross floor area in a community shopping center typically ranges from 30,000 to 100,000 square feet, and land area consists of two to ten acres in size. It is intended that the community shopping center be developed as a unit, with adequate off-street parking for customers and employees, and with appropriate landscaping and screening to ensure compatibility with surrounding residential environment. This district is ideally located at the intersection of two or more arterial or major streets with a service area of up to 1½ miles. Development of a community shopping center requires approval of a development site plan by the planning and zoning commission.

1. Area and height regulations. Area and height regulations in a CSC district are set forth in subsection Q.2 of this section, regulation matrix.
2. See section 8 for supplementary district regulations.
3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the CSC district under certain circumstances and conditions.
4. Permitted uses. Uses permitted in a CSC district are set forth in subsection P of this section, permitted use table. A specific use permit for a shopping center as a particular use is required before any building permit or certificate of occupancy may be issued in this district.
5. No CSC district shall be created which includes less than two acres.

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6. Buildings in the CSC zoning district are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- G. *NC, Neighborhood Commercial District, general purpose and description.* The NC, Neighborhood Commercial District, is primarily intended for retail sales, services and office activities in a mixed grouping. This designation is intended for use along major thoroughfares and collector streets where larger tracts of land can be utilized as coordinated commercial centers. This designation is intended for use of land areas between one-quarter acre and two acres. Structure size is typically between 4,000 and 20,000 square feet. Development of a neighborhood commercial district requires approval of a development site plan by the planning and zoning commission. Office uses permitted in this district shall not exceed 60 percent of the gross building and structure floor area.
1. Area and height regulations. Area and height regulations in an NC district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the NC district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an NC district are set forth in subsection P of this section, permitted use table.
 5. Building site coverage consisting of all buildings and structures and all paved surfaces shall not exceed 90 percent of the total lot area.
 6. Buildings in the NC zoning district are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- G-1. *LNC, Local Neighborhood Commercial District, general purpose and description.* The LNC, Local Neighborhood Commercial District, is primarily intended for retail sale of convenience goods or services for persons residing in adjacent residential areas. Other uses are permitted in the LNC when they are of similar land use intensity and physical impact as those uses to be integrated into the surrounding residential area. Because the retail and personal service uses permitted may be an integral part of the neighborhood, closely associated with the residential, religious, recreational, and educational uses in the neighborhood, more restrictive requirements are placed on development relative to other commercial zoning categories. The local neighborhood district is intended for use at the entrance to residential areas and in some situations within the confines of a residential district. This designation is intended for use of land areas of up to one acre. Development of a local neighborhood commercial district requires approval of a development site plan by the planning and zoning commission.
1. Area and height regulations. Area and height regulations in an LNC district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning, compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the LNC district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an LNC district are set forth in subsection P of this section, permitted use table.

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5. The gross building and structure floor space shall not exceed 4,000 square feet.
 6. Building site coverage consisting of all buildings and structures and all paved surfaces shall not exceed 80 percent of the total lot area.
 7. Buildings in the LNC zoning district are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- H. *OPD, Office Park District, general purpose and description.* The OPD, Office Park District, is intended to encourage and permit general professional and business office development in a fashion consistent with surrounding development. This district is ideally suited as a buffer between commercial and residential areas. As such, it shall be considered for entrances and land adjacent to residential developments. The ultimate development is to provide land use intensity and landscaping consistent with surrounding areas. Development of an office park district requires approval of a development site plan by the Planning and Zoning Commission.
1. Area and height regulations. Area and height regulations in an OPD are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the Planning and Zoning Commission within the OPD under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an OPD are set forth in subsection P of this section, permitted use table.
 5. Show window or display window effects shall not be permitted and there shall be no display from windows or doors and no storage of merchandise in the building or on the premises except in quantities customarily found in professional or business offices.
 6. Retail operations that are primarily for selling to office park occupants are permitted. Examples of these retail operations would be restaurants, coffee shops, office supply, barbershops, gift shops, health spas, specialty stores.
 7. One caretaker's quarters unit may be provided for each office park complex.
 8. Building site coverage consisting of all buildings and structures and all paved surfaces shall not exceed 90 percent of the total lot area.
 9. Buildings in the OPD are encouraged to have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- I. *Downtown District (DD), general purpose and description.* The DD, downtown district, is designed to accommodate and promote the city's original business and downtown areas. It is intended to achieve a balance of retail, commercial, office, and residential and public activities. Development within the DD should be pedestrian friendly with an emphasis on shared parking and shared access between developments. Development within the DD requires the approval of a development site plan by the Planning and Zoning Commission.
1. Area and height regulations. Structures within the DD are intended to be between one to four stories. The maximum height allowed is 70 feet as measured in accordance with the method prescribed in section 20. Additional regulations are set forth under subsection Q.2 of this section, regulation matrix.

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- a. No residential use shall be allowed on the first floor.
 2. See section 8 for supplementary district regulations.
 3. Permitted uses. Uses permitted in the DD are set forth in subsection P of this section, permitted use table.
 4. Buildings in the DD are encouraged to have exterior cladding of brick, masonry, stone, stucco, glass or lap sided cement fiberboard. Sheet cement fiberboards are discouraged, except as trim for eaves and overhangs, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
- J. *PUD, planned unit development, general purpose and description.*
- (1) *General.*
 - (a) This district allows for greater flexibility in the design and coordination of a single use or mixed uses than in other districts because a specific ordinance is written for every PUD. A PUD is a unique zoning classification, and shall be granted only when the Planning and Zoning Commission and city council determine that the applicant has submitted a complete application containing sufficient detail. An applicant is not entitled to a PUD as a matter of right. The city reserves the right to establish conditions as determined appropriate.
 - (b) In no case shall a PUD be used for the sole purpose of circumventing the intent of city ordinances or plans. Unless standards for elements of site design are specifically described in a rezoning ordinance for a PUD, all design and development standards shall apply to all land development within a PUD district. The development must be planned as an integral unit and must protect nearby landowners from adverse impact with appropriate buffering and landscaping. A site plan is required for all PUDs.
 - (c) The general purposes of all PUD districts are several-fold:
 1. To encourage unified design and development of tracts of land incorporating a variety of uses, including, but not limited to, residential, commercial, office, and institutional;
 2. To accommodate innovation in development by modifying the city's land use and development regulations;
 3. To provide for and protect the public health, safety and general welfare of the city by assuring quality development in accordance with the city's comprehensive plan and other related goals;
 4. To minimize the negative impact of developments, especially those related to drainage, environment, traffic, and a public services and related facilities;
 5. To protect and enhance the aesthetic and visual qualities of development;
 6. To provide development of sites in a suitable fashion when such development is restricted by such factors as site location and shape;
 7. To promote economic development in accordance with the city's plans for such.
 - (2) *Application.*
 - (a) Application and approval process. A development review committee meeting with staff is required prior to application for a PUD. Following the DRC meeting, the applicant will submit all required documents described below to city staff for comments and corrections prior to scheduling the public hearing.

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- (b) Each PUD application shall be accompanied by payment for the processing fee as established in section 14. Advertisement and public hearings shall be held by the Planning and Zoning Commission and City Council in accordance with the notification procedure set forth for a rezoning application. Following the public hearing, the Planning and Zoning Commission shall forward the plan with its recommendation to the city council for consideration. The Planning and Zoning Commission and/or City Council may require additional information throughout the process.
- (c) An applicant may choose one of two ways to seek PUD approval:
1. Submit all items listed below with the application and the required processing fee for rezoning. This option would allow the site plan to be approved as a part of the zone change and prevent the applicant from a second submittal after rezoning to obtain site plan approval.
 - (a) Data describing all processes and activities involved with the proposed use;
 - (b) Boundaries of the area covered by the site plan;
 - (c) The location of each existing and proposed building and structure in the area covered by the site plan and the number of stories, height, roofline, gross floor area and location of building entrances and exits;
 - (d) The location of existing drainage ways, and significant natural features;
 - (e) Proposed landscaping and screening buffers;
 - (f) The location and dimensions of all curb cuts, public and private streets, parking and loading areas, pedestrian walks, lighting facilities and outside trash storage facilities;
 - (g) The location, height and type of each wall, fence, and all other types of screening;
 - (h) The location, height and size of all proposed signs;
 - (i) Utility and drainage plans;
 - (j) Regulation matrix designating what zoning district the development will follow;
 - (k) Data describing any variation from the typical development requirements; or
 2. Submit a conceptual plan with the application and the required processing fee for rezoning. This option will require the applicant to apply for site plan approval at a later date if the zone change to PUD is approved. At the time of site plan approval all information contained in the conceptual plan shall be certified by an engineer and/or surveyor. The conceptual plan shall provide the following information:
 - (a) General land use and density plan;
 - (b) Identify proposed general uses, densities, major open spaces, circulation and access features;
 - (c) Statement indicating proposed phasing of development and the projected timing of each;
 - (d) Data describing all processes and activities involved with the proposed use;
 - (e) Regulation matrix designating what zoning district the development will follow;
 - (f) Data describing any variation from the typical development requirements.

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- (3) Modification of standards proposed within a PUD.
- (a) Following adoption of a PUD ordinance pursuant to this section, all subsequent plans prepared for the development or any portion of the property within a PUD must substantially conform to the approved plan in accordance with the standards of the PUD ordinance, this section, and all other applicable ordinances of the city.
 - (b) The city recognizes that market conditions may alter the development of a large PUD and hereby provides that alterations in the land area or square footage, as appropriate, covered by a category of use, may be varied by not more than 25 percent. In no case shall such variations change traffic or circulation patterns, substantially alter the number or arrangement of buildings, increase the height of buildings, lessen the amount or effectiveness of open space or landscaped buffers, or result in a greater impact on adjacent properties or neighborhoods. Percentage changes specified herein shall be the maximum change allowed; multiple changes exceeding those percentages shall not be approved administratively, but shall require the owner to submit an application for an amendment to the district standards.
- K. *Reserved.*
- L. *A-1, Agricultural District, general purpose and description.* The A-1, Agricultural District, is intended for the growing and/or marketing of agricultural products.
- 1. Area and height regulations. Area and height regulations in an A-1 district are set forth in subsection Q.2 of this section, regulation matrix.
 - 2. See section 8 for supplementary district regulations.
 - 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the A-1 district under certain circumstances and conditions.
 - 4. Permitted uses. Uses permitted in an A-1 district are set forth in subsection P of this section, Permitted use table. Residential development is prohibited in the A-1 district; however, dwelling quarters for onsite employees and their families are permitted provided such residential use conforms to the SFR district regulations, including lot area, width and setback requirements and parking ratio.
- M. *(M-1) LI, Light Industrial District, general purpose and description.* The LI, Light Industrial District, is intended primarily for the conduct of light manufacturing, assembling, and fabrication, and for warehousing, wholesaling, and service operations. This district is designed to upgrade industrial development standards, prevent industrial blight, and protect light industrial development from incompatible residential, commercial or heavy industrial uses.
- 1. Area and height regulations. Area and height regulations in an LI district are set forth in subsection Q.2 of this section, regulation matrix.
 - 2. See section 8 for supplementary district regulations.
 - 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the LI district under certain circumstances and conditions.
 - 4. Permitted uses. Uses permitted in an LI district are set forth in section 7-P, permitted use table.
- N. *I, Industrial District, general purpose and description.* The I, Industrial District, is intended to provide for industrial uses and other uses not otherwise provided for in the other districts. The intensity of uses permitted in this district makes it necessary to separate it from all residential districts and most commercial districts wherever possible.

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1. Area and height regulations. Area and height regulations in an I district are set forth in subsection Q.2 of this section, regulation matrix.
 2. See section 8 for supplementary district regulations.
 3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the planning and zoning commission within the I district under certain circumstances and conditions.
 4. Permitted uses. Uses permitted in an I district are set forth in subsection P of this section, permitted use table.
- O. *BP, Business Park District.* The BP, Business Park District, is intended to encourage and permit light manufacturing and/or service operations and auxiliary retail and wholesale sales. The business may be individually owned or leased by a common owner. The types of uses, and the design and exterior appearance shall be so controlled as to maintain the integrity and be generally compatible with adjacent surrounding residential and commercial development. All services, manufacturing and storage are to be indoors. This district shall access or abut major thoroughfare and/or collector streets. It is intended that the business park be developed as a unit. Development of a business park district shall be developed on a minimum of 10,000 square feet and shall be subject to site plan approval by the planning and zoning commission.
1. Area and height regulations. Minimum size business park 10,000 square feet, no structure within a BP shall be located within 25 feet of an exterior BP boundary (an exterior BP boundary is one that abuts a zone other than BP).
 2. See section 9 for temporary certificates of zoning compliance that may be granted by the administrative official and specific use permit that may be recommended by the planning and zoning commission within the BP district under certain circumstances and conditions.
 3. See section 8 for supplementary district regulations.
 4. Permitted uses. Uses permitted in a BP district are set forth in subsection P of this section, permitted use table.
 5. Light manufacturing is permitted only if limited to final machining, assembly, testing, processing and packaging into finished goods from raw materials produced elsewhere, such as electronic parts assembly, medical products processing, mechanical parts assembly and aerospace equipment processing.
 6. Truck docking facilities are permitted, provided they are located in the rear or side yard and screened from view of adjacent street right-of-way.
 7. Screening devices for refuse containers are required.
 8. Parking shall be designated on the parking group section of the permitted use table. However, a minimum of four parking spaces per business or four spaces per 1,000 square feet of gross building floor space for each structure, whichever is greater, is required.
 9. Performance standards shall conform to section 8.J as shown in the CSC zoning district.
 10. Exterior requirements. All buildings are encouraged to be constructed with at least 65 percent of their exterior walls, excluding doors and windows, constructed of masonry materials, or concrete construction or a combination of masonry, concrete, aluminum or glass materials, while all building products and materials approved for use by a national model code published within the last three code cycles (2018, 2015 and 2012) are allowed by V.T.C.A., Government Code ch. 3000.
 11. Except as specifically provided in the permitted use table in subsection P of this section, retail sales shall be permitted as accessory uses only and then only to the extent that such sales are sales of

products manufactured or serviced on the premises. Retail sales shall not be permitted as a primary use in the BP district except where specifically authorized in said subsection P of this section.

P. *Permitted uses.*

1. *Use of land and buildings.* Buildings, structures, land or premises shall be used only in accordance with the uses specifically permitted in the zoning district classification for the site subject to compliance with parking regulations, height and area requirements, special conditions and all other requirements of the zoning ordinance.
2. *Permitted use table.* The permitted uses in each specific zoning district are shown by means of symbols in the permitted use tables on the following pages. The letter "P" in the zoning district column opposite the listed permitted use means the use is permitted as a use of right in that district. The letter "S" in the zoning district column opposite the permitted use means the use is permitted in that zoning district only obtaining a specific use permit as set forth in section 9.G. No primary use shall be permitted in any district unless the letter "P" or the letter "S" appears opposite the listed permitted use. The letter "O" in the zoning district column means that the permitted use is for office functions only. Parking requirements are in section 8.F. The letters "NP" in the PUD-Mixed Use Zoning District column means those uses so specified are not permitted under any circumstance.
3. *Uses not listed.* Primary uses not listed in the permitted use table may be permitted in any district where similar uses are permitted. The function and locational requirements of the unlisted use must be consistent with the purpose and description of the zoning district, compatible with the permitted uses in the district, and be similar in traffic-generating capacity, noise, vibration, dust, odor, glare and heat producing characteristics.
4. *Accessory use.* A use which is customarily incidental to that of the primary existing use, which is located on the same lot or premises as the primary existing use, and which has the same zoning district classification shall be permitted as an accessory use without being separately listed as a permitted use.
5. *North America Industry Classification System (NAICS) Codes.* The activity descriptions in the current NAICS Codes prepared by the United States Executive Office of the President, Office of Management and Budget, shall be used to determine the primary establishment uses when reference is made in the tables to a designated standard industrial classification. Every January, community development staff shall determine if the manual has been revised. If the manual has been revised, such revisions and changes will be summarized in a written report and presented to the planning and zoning commission. The commission will make recommendations to council regarding adoption of the revised manual and appropriate changes to the zoning ordinance permitted use table. The commission may recommend that an ad hoc committee review and propose revisions to the permitted use table.
6. *Permitted use table.*

Residential Uses	SFR and SFR-E	MFR-GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	A-1	L1	I	BP
Single-Family Residence	P		P												
Multi-Family Residence—Garden Home		P													
Multiple-Family Residence—Low Density			P	P	P										
Multiple-Family Residence—Medium Density				P	P										
Multiple-Family Residence—High Density					P										

Created: 2021-06-15 13:47:32 [EST]

Mobile Home Residence							P											
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	2017 NAICS Industry Descriptions	SFR and SFR-E	MFR-GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	A-1	L1	I	BP
	Sexually oriented businesses (Ch. 62)														S	
11	<i>Agriculture, Forestry, Fishing and Hunting</i>															
111	Crop production							O	O		O	O	P			
1114	Greenhouse, nursery and floriculture production										O	O	P	S	S	O
112	Animal production							O	O		O	O	P			
113	Forestry and logging										O	O	P	S	P	
1133	Logging										O	O	S		S	
114	Fishing, hunting and trapping										O	O	P			
115	Support activities for agriculture and forestry							O	O		O	O	P		O	
21	<i>Mining</i>															
211	Oil and gas extraction										O	O	S	S	S	
212	Mining, except oil and gas										O	O	S	S	S	
213	Support activities for mining										O	O	S	S	S	
22	<i>Utilities</i>															
221	Utilities										O	O		S	P	O
23	<i>Construction</i>															
236	Construction of buildings							O	O		O	O		P	P	P
237	Heavy and civil engineering construction							O	O		O	O		P	P	S
238	Specialty trade contractors							O	O		O	O		P	P	P
31—33	<i>Manufacturing</i>															
311	Food manufacturing							O			O	O		S	S	S
311811	Retail bakeries							P	P			P				
312	Beverage and tobacco product manufacturing							O			O	O		S	S	S
313	Textile mills							O			O	O		S	S	S
314	Textile product mills							O			O	O		S	S	S
315	Apparel manufacturing							O			O	O		S	S	S

Created: 2021-06-15 13:47:32 [EST]

(Supp. No. 3)

316	Leather and allied product manufacturing							O			O	O		S	P	S
3161	Leather and hide tanning and finishing							O			O	O		O	S	O
321	Wood product manufacturing							O			O	O		S	P	S
322	Paper manufacturing							O			O	O		O	S	O
323	Printing and related support activities							S			O	S		P	P	P
323113	Commercial screen printing							P	S		O	P		P	P	P
324	Petroleum and coal products manufacturing							O			O	O		S	S	S
325	Chemical manufacturing							O			O	O		S	S	S
325412	Pharmaceutical preparation manufacturing							O			O	O		P	P	P
326	Plastics and rubber products manufacturing							O			O	O		S	P	S
3262	Rubber product manufacturing							O			O	O		O	P	O
327	Nonmetallic mineral product manufacturing							O			O	O		O	P	O
331	Primary metal manufacturing							O			O	O		O	S	O
332	Fabricated metal product manufacturing							O			O	O		S	P	S
333	Machinery manufacturing							O			O	O		S	P	S
334	Computer and electronic product manufacturing							O			O	O		P	P	P
335	Electrical equipment, appliance and component manufacturing							O			O	O		P	P	P
33591	Battery manufacturing							O			O	O		O	S	O
336	Transportation equipment manufacturing							O			O	O		S	P	S

Created: 2021-06-15 13:47:32 [EST]

(Supp. No. 3)

337	Furniture and related products manufacturing							O			O	O		S	P	S
339	Miscellaneous manufacturing							O			O	O		P	P	S
3391	Medical equipment and supplies manufacturing							O			O	O		P	P	P
42	<i>Wholesale Trade</i>															
423	Merchant wholesalers, durable goods							O			O	O		P	P	P
424	Merchant wholesalers, nondurable goods							O			O	O		P	P	P
425	Wholesale electronic markets and agents and brokers							O			O	O		P	P	P
44—45	<i>Retail Trade</i>															
4411	Automobile dealers							O			O	O		P	P	O
4412	Other motor vehicle dealers							O			O	O		P	P	O
4413	Automotive parts, accessories and tire stores							P	S		O	O		P	P	P
442	Furniture and home furnishing stores							P	P		O	P		S	S	P
443	Electronics and appliance stores							P	P		O	P		S	S	P
444	Building material and garden equipment and supplies dealers							P	P		O	P		P	P	P
444190	Other building material dealers							S	S		O	O		S	S	S
445	Food and beverage stores							P	P		O	P		S		S
446	Health and personal care stores							P	P		O	P		P		P
447	Gasoline stations							P	P		O			P	P	
447190	Other gasoline stations										O	O		S	S	
448	Clothing and clothing accessory stores							P	P		O	P				P
451	Sporting goods, hobby, book and music stores							P	P		O	P				P

Created: 2021-06-15 13:47:32 [EST]

(Supp. No. 3)

452	General merchandise stores							P	P		O	P		P	P	P
453	Miscellaneous store retailers							P	P		O	P		P	P	P
4533	Used merchandise stores							P	P			P		P	P	P
45393	Manufactured (mobile) home dealers										O	O			S	
45399	All other miscellaneous store retailers							P	P			P		P	P	P
454	Nonstore retailers							S	S		O	S		S	S	S
48—49	<i>Transportation and Warehousing</i>															
481	Air transportation										O	O		O	O	O
482	Rail transportation										O	O		S	P	S
483	Water transportation										O	O		O	S	O
484	Truck transportation										O	O		P	P	S
485	Transit and ground passenger transportation							S	S		O	S		S	S	S
486	Pipeline transportation	S	S	S	S	S	S	S	S		S	S	S	S	S	S
487	Scenic and sightseeing transportation							S			O	P				P
488	Support activities for transportation							S	S		O	O		S	P	P
48841	Motor vehicle towing										O	O		S	P	O
491	Postal service							P	P		O	P		P	P	P
492	Couriers and messengers							P	P		O	P		P	P	P
493	Warehousing and storage										O	S		P	P	P
51	<i>Information</i>															
511	Publishing industries							P			O	P		P	P	P
512	Motion picture and sound recording industries							S			O	S		S	S	S
515	Broadcasting (except internet)							S	S		O	O		P	P	P
517	Telecommunications							S	S		O	S		P	P	P
517911	Telecommunication resellers							P	P		O	P		P	P	P

518	Data processing, hosting and related services							S	S		O	S		S	P	P
519	Other information services							S	S		O	S		S	P	P
52	<i>Finance and Insurance</i>															
521	Monetary authorities—Central bank							P	P		P	P		P		P
522	Credit intermediation and related activities							P	P		P	P		P		P
522298	All other nondepository credit intermediation(i.e., pawn shops)							S			O	S		S	P	P
523	Securities, commodity contracts, and other financial investments and related activities							P	P		P	P		P		P
524	Insurance carriers and related activities							P	P		P	P		P	P	P
525	Funds, trusts, and other financial vehicles							P	P		P	P		P		P
53	<i>Real Estate and Rental and Leasing</i>															
531	Real estate							P	P		P	P		P	P	P
53113	Lessors of miniwarehouses and self-storage units							O	O		O	O		O	P	P
532	Rental and leasing services							P	S		O	S		P	P	P
53212	Truck, utility trailer and RV rental							O	O		O	O		O	P	P
533	Lessors of nonfinancial intangible assets (except copyrighted works)							P	P		P	P		P	P	P
54	<i>Professional, Scientific and Technical Services</i>															
541	Professional, scientific and technical services							P	P		P	P		P	P	P
54138	Testing laboratories							S			O	S		S	P	P
55	<i>Management of Companies and Enterprises</i>															

551	Management of companies and enterprises							P	P		P	P		P	P	P
56	<i>Administration/Support Waste Management/Remediation Services</i>															
561	Administrative and support services							P	P		O	P		P	P	P
561730	Landscaping services							S			O	O		S	P	S
56179	Other services to buildings and dwellings							S			O	O		S	P	P
562	Waste management and remediation services										O	O		S	P	S
61	<i>Educational Services</i>															
6111	Elementary and secondary schools	S	S	S	S	S	S	S	S		O	S	S	S	S	S
6112	Junior colleges							S			O	S	S	S	S	S
6113	Colleges, universities and professional schools							S			O	S	S	S	S	S
6114	Business schools and computer and management training							S			O	S	S	S	S	S
6115	Technical and trade schools							S			O	S	S	S	S	S
6116	Other school and instruction							P	P		P	P	S	P	P	
62	<i>Health Care and Social Assistance</i>															
621	Ambulatory health care services							P	P		P	P				P
622	Hospitals							P			O	S		P		P
6231	Nursing care facilities—Skilled nursing facilities							S	S		O	S				
6232	Residential, intellectual and development disability, mental health, and substance abuse facilities	S1	S1													
623311	Continuing care retirement communities (with on-site nursing)	S1	S1					S	S		O	S				
623312	Assisted living facilities for the	S1	S1					S	S		O	S				

	elderly (without on-site nursing)															
624	Social assistance							S			O	S				S
6244	Child day care services (childcare centers)							P	P		O	P				
6244	Child day care services (registered and/or licensed childcare home)	P	P													
71	<i>Arts, Entertainment and Recreation</i>															
7111	Performing arts							P			O	P				P
7112	Spectator sports							S			O	O				P
7113	Promoters of performing arts, sports and similar events							P			O	P				P
712	Museums, historical sites and similar institutions	S	S	S	S	S	S	P	S		O	P	S	S	S	S
7131	Amusement parks and arcades											S		S	P	
7132	Gambling industries															
7139	Other amusement and recreation industries											S		S	P	
713940	Fitness and recreational sports centers							P	S			P		P	P	
72	<i>Accommodation and Food Services</i>															
7211	Traveler accommodation							S			O	S		S	S	S
7212	RV (recreational vehicle) parks and recreational camps										O			S	S	
7213	Roominghouses and boardinghouses							S			O	S		S	S	S
7223	Special food services							P	P		O	P		P		P
7224	Drinking places (more than 75% sales of alcoholic beverages)							S				S		S		S
7225	Restaurants and other eating places							P	P		O	P		P		P
81	<i>Other Services (Except Public Administration)</i>															
8111	Automotive repair and maintenance							P	S		O	S		S	P	

81112	Automotive body, paint, interior and glass repair							S	S		O	S		S	P	
8112	Electronic and precision equipment repair and maintenance							S			O	O		S	P	P
8113	Commercial and industrial machinery and equipment (except automotive and electronic repair and maintenance)							S			O	O		S	P	P
8114	Personal and household goods repair and maintenance							S			O	O		S	P	P
8121	Personal care services							P	P		P	P		P		P
8122	Death care services							S	S		O	S		S		S
8123	Dry cleaning and laundry services							P	P		P	P		P		P
8129	Other personal services							P	P		P	P		P		P
8131	Religious organizations	S	S	S	S	S	S	S	S		O	S	S			
8132	Grantmaking and giving services							O	O		O	O		O		O
8133	Social advocacy organizations							O	O		O	O		O	P	O
8134	Civic and social organizations							O	O		O	O		O	P	O
8139	Business, professional, labor, political, and similar organizations							O	O		O	O		O		O
814	Private households	P	P	P	P	P	P					P (a)	P			
92	<i>Public Administration</i>															
921	Executive, legislative, and other general government support							P			O	P		P		P
922	Justice, public order and safety activities							P			O	P		P		P
92214	Correctional institutions														S	

923	Administration of human resource programs							P			O	P		P		P
924	Administration of environment quality programs							P			O	P		P		P
925	Administration of housing programs, urban planning, and community development							P			O	P		P		P
926	Administration of economic programs							P			O	P		P		P
927	Space research and technology							P			O	P		P		P
928	National security and international affairs							P			O	P		P		P

(a) Second floor and above.

(b) Legend:

1. P: Permitted.
2. S: Special use permit required.
3. O: Office use only.
4. Blank: Not permitted.
5. S1: Site plan approval required; these facilities shall be subject to the following additional supplemental requirements at the time the first permit, certificate of occupancy, or zoning compliance request is submitted:
 - a. A site plan shall be submitted showing the layout of the proposed site, including present and proposed structures, driveways, parking areas, loading and delivery areas, trash collection areas, or other improvements. A site plan submitted under this subsection shall be subject to review and recommendation to the city council by the planning and zoning commission and approval by the city council.
 - b. An elevation shall be submitted that shows the exterior of the structure and any and all proposed changes to any existing building, yard, or other improvements. A personal care facility shall maintain its residential appearance. In no case will parking lots or spaces be authorized in a front yard, nor may loading and delivery areas, trash collection areas, or recreation areas be located in the front yard or so as to be visible from the street of any personal care facility.
 - c. A copy of the state license authorizing the individual proposing the use to open and operate such a facility, or, if the license has not been granted, a copy of the application submitted to the state department of licensing and regulation for such a license, along with a list of the remaining approvals or requirements to

be met in order to obtain such a license. Within 60 days of receipt of such license, and in any case, prior to the issuance by the city of a certificate of occupancy for the facility, a copy of such state license shall be provided to the city's building official.

- d. No personal care facility shall be allowed to open or operate until a license has been issued by the appropriate state regulatory agency. Any facility opening or operating without a valid state license or city approved site plan shall be subject to immediate closure by the city and all remedies and penalties available under state law.
 - e. All applications filed with the city must indicate what type (A, B, or C) of facility is planned for operation under the licensing standards for personal care facilities, published by the state department of human services, so staff may evaluate the plans under the appropriate code requirements.
 - f. Compliance with all applicable city and state codes, ordinances and regulations shall be required prior to issuance of a certificate of occupancy for the operation of a personal care facility. In case of a conflict between city and state regulations, the more stringent shall control.
- (c) Notwithstanding the permitted uses depicted in this table, which are intended to address uses not otherwise regulated or restricted by federal, state, or related law for protected specific uses, it is the intention of the city to fully comply with all such legal requirements. Any applicant who is relying upon any such specific rules or regulations not otherwise addressed in this table shall provide the relevant provisions to the city for review.
- (d) *Swimming pool.* Exception for private recreation facilities under subsection (e) of this section.
- 1. If located in any residential zoning district, the pool shall be intended and used solely for the enjoyment of the occupants of the principal use of the property on which it is located and their guests.
 - 2. A swimming pool shall be deemed an accessory structure under the terms of this appendix, and shall, except as otherwise specifically provided herein, be subject to all requirements and restrictions hereunder. A swimming pool may be erected within a required rear yard, provided it is set back no closer than five feet from any rear lot line, but shall not be erected within any required front or side yard. Swimming pool pump, filter, and heating equipment may be located within a required side or rear yard, but not nearer than five feet from any side or rear property line.
- (e) *Private recreation facility.* Private recreation facilities in residential districts for multifamily developments, subdivisions, or homeowners' associations shall be restricted to use by the occupants of the residence and their guests, or by members of a club or homeowners' association and their guests, and shall be limited to such uses as swimming pools, open game fields, basketball, shuffleboard, racquetball, croquet, and tennis courts, and meeting or locker rooms. Private recreation facilities shall not be located within 25 feet of any street right-of-way or within ten feet of any abutting property line. Activity areas shall be fenced and screened from abutting properties. Dispensing of food and beverages shall be permitted on the premises only for the benefit of users of the recreation facility and not for the general public. Off-street parking shall be required on the basis of one space for each 4,000 square feet of area devoted to recreational use with a minimum of four spaces and a maximum of 20 spaces.
- (f) *Auto repair garage.* Automobile repairing, painting, upholstering and body and fender work shall be performed only under the following conditions:

-
1. All body and fender repairing shall be done within a completely enclosed building or room with stationary windows that may be opened only at intervals necessary for ingress and egress.
 2. No spray painting may be done except in a spray booth especially designed for that purpose.
 3. All other auto repairing, etc., shall be conducted within a building enclosed on at least three sides.
 4. All vehicles awaiting body repair and/or paint, not currently being worked on within the required building, shall be stored behind and completely screened by an eight-foot opaque fence. The fence must be placed as to not block visibility of traffic and allow required ingress and egress. In addition, the fence must comply with fence requirements as noted in section 8.B.
 5. Repaired vehicles, or those waiting to be repaired, cannot occupy recommended parking places.
- (g) *Temporary batching facility.* Before a specific use permit may be granted for a temporary batching facility, the city council shall find that such batching plant, yard, or building is both incidental to and necessary for construction within two miles of the plant. A specific use permit may be granted for a period of not more than 180 days, and approval shall not be granted for the same location for not more than four specific use permits during any 30-month period. Within 30 days following the termination of any batching plant, the permittee shall cause the site to be returned to its original condition.
- (h) *Junkyards.* No property located within the corporate limits of the city shall be used and no building shall be erected for or converted to be used as an auto wrecking yard, junkyard, salvage storage, scrap metal storage yard or wrecking material yard, except in the I, industrial district.
- (i) *Dry cleaning facilities.* Dry cleaning establishments shall be subject to the following additional supplemental requirements at the time of submittal for site plan approval, certificate of occupancy, first permit or zoning compliance request. Compliance with all applicable city, state and federal codes, ordinances and regulations shall be required prior to the issuance of a certificate of occupancy. In the case of a conflict between city, state and federal regulations, the more stringent shall control. Reports and copies of all documentation listed below must be provided to the city on a quarterly basis.
1. The facility may process only the clothing dropped off by customers at that location.
 2. All employees shall be certified by the equipment manufacturer before operating or maintaining the equipment at that site.
 3. The facility shall be registered with the EPA and TNRCC as a small industrial generator of hazardous waste, if required by state or federal regulations, or the owner shall provide proof that it is exempt from such registration.
 4. The facility shall have a sampling port installed on its property to allow compliance sampling by city, state, or federal agencies, of sewer effluent.
 5. Perchloroethylene waste storage shall be limited to no more than 90 days on-site.
 6. Perchloroethylene waste removal shall be handled by a third-party transporter and removed to a RCRA permitted treatment storage and disposal facility.
 7. No perchloroethylene shall be stored on-site other than in the dry cleaning machine system.

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- (j) *Single tenant or occupant retail uses occupying 50,000 gross square feet or more.* The following requirements shall be in addition to the requirements of any applicable zoning district or overlay district. The following regulations also apply if any interior portion of the 50,000 gross square feet of the building envelope is subleased to another tenant or occupant not affiliated with the primary tenant or occupant:

1. Provide a noise mitigation plan to verify compliance with the city's current maximum permissible sound levels located in article IV, chapter 54 of the Code of Ordinances;
2. Front building facades and facades fronting private or public streets with facades greater than 200 feet in length shall incorporate wall plane projections or recesses that are at least six feet deep. Projections and/or recesses must be at least 25 percent of the length of the facade. Uninterrupted lengths of facade may not exceed 100 feet in length;
3. Buildings shall be architecturally finished on all four sides with the same architectural elements as required in subsection P.6.(j)4 of this section except the rear of the building, provided that a double row of trees is planted along the property line behind the building. In this case, the architectural finish must match the remainder of the building in color and facade material only. A double row of trees shall include trees planted on offset 50-foot centers in a 15-foot landscape buffer, where 50 percent of the trees are canopy evergreen trees; and
4. Buildings that are 50,000 square feet or more in size must include a minimum of six of the following architectural elements. Buildings that are 100,000 square feet or more in size must include a minimum of eight of the following architectural elements or other architectural features approved by the planning and zoning commission:
 - a. Canopies, awnings or porticos.
 - b. Overhangs.
 - c. Arches.
 - d. Arcades (a series of adjoining arches).
 - e. Peaked roof forms.
 - f. Outdoor patios.
 - g. Display windows.
 - h. Architectural work, such as tile work and moldings integrated into the building facade.
 - i. Articulated ground floor levels or base.
 - j. Articulated cornice lines.
 - k. Integrated planters or wing walls that incorporate landscape and sitting areas.
 - l. Offsets, reveals, or projecting ribs used to express architectural or structural bays.
 - m. Accent materials (minimum 15 percent of exterior facade).
 - n. Varied roof heights.
 - o. Other architectural features approved by the planning and zoning commission.

Q. *District area and height regulations.*

1. No lot, parcel, premises or tract of land shall be created and no building permit shall be issued for any request that does not meet the appropriate minimum lot area, width, depth, yard and height regulations as set forth in the following tables.
2. See regulation matrix.

REGULATION MATRIX - COMMERCIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

Zoning District	Lot Area Minimum Square Feet	Lot Width Minimum Feet	Lot Depth Minimum Feet	Yards—Minimum Feet					
				Front	Rear (a)	Side			
						Interior		Exterior	
						When Abutting Property in a Residential District or Garden Home District	When Abutting Property in a Nonresidential District	When Backing Up to an Abutting Side Yard	When Backing Up to an Abutting Rear Yard
CSC	15,000	100	150	30	15	25	10	25	10
NC	12,000	100	120	30	15 D	25	10	25	10
LNC	10,000	100	100	30	15 D	25	10	25	10
DD	15,000 E	0	0	0	0 G 15 F	15	0	0	0
OPD	10,000	100	100	30	15	25	10	25	10
BP	10,000	100	100	30	25	25	10 J	25	10 J
LI	15,000	100	100	30 A	25	25	10	25	10
I	20,000	100	100	30 B	25 C	40 C	10	25 C	10 C

- A. When LI district is across the street from a residential district, front yard shall be a minimum of 40 feet from street R.O.W.
- B. When I district is across the street from a residential district, front yard setback shall be a minimum of 50 feet from street R.O.W.
- C. When industrial district abuts side and/or rear residential district, setback shall be a minimum of 90 feet.
- D. When rear yard of an NC or LNC district abuts a nonresidential district, rear yard setback shall be a minimum of 15 feet.
- E. Lots within the downtown district (DD) in existence prior to the creation of the DD shall be deemed as lawfully existing and shall be allowed to develop under DD regulations. Further, tracts of any size in existence prior to the creation of the DD may be combined into larger tracts and developed, even if the aggregate size is less than 15,000 square feet. Further, no lot classified as within the DD zone may be subdivided to less than the minimum size of 15,000 square feet.

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- F. When DD rear yard abuts a residential district (residential district or garden home district), rear yard setback shall be a minimum of 15 feet.
- G. When DD rear yard abuts a non-residential district, rear yard shall be a minimum of zero feet.
- H. In NC and OPD, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 90 percent of the total lot area, per subsections G.5 and H.8 of this section.
- I. In LNC, building site coverage, consisting of all buildings, structures and all paved surfaces, shall not exceed 80 percent of the total lot area, per subsection G-1.6 of this section.
- J. In BP, no structure shall be located within 25 feet of an exterior BP boundary. An exterior BP boundary is one that abuts a zone other than BP, per subsection O.1 of this section.
- K. Height maximum includes belfries, chimneys, cooling towers, elevator bulkheads, fire towers, storage towers, monuments, ornamental towers and spires, stage towers and scenery lofts, tanks and water towers.

REGULATION MATRIX—RESIDENTIAL DISTRICTS

Circled letters (letters in parentheses) refer to paragraphs in section 7-Q.3.

	Units per Acre	Lot Area Minimum Square Feet	Lot Width	Yards—Minimum Feet					Height Maximum Feet (b and e)	Parking Requir Unit
				Front	Rear (a)	Side				
						Interior (d)	Exterior (Corner Lot)			
							Backing Up to an Abutting Side Yard	Backing Up to an Abutting Rear Yard		
SFR Single-Family Residential	2.7	11,600	90 A	25 B	25	10 F	25 A	20 C	40	K
SFR Single-Family Residential	2.7	15,600	120 A	25 B	25	10	25 B	20 C	40	K
SFR-E Single-Family— Residential Estate	0.5	87,120	150 A	75	25	25	35	35	40	K
MFR-L Multifamily— Low	6 G	7,260 G	45 G	25 B	25	10 E, I	25 B	20 C	40	K

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MFR-M Multifamily— Medium	9	—	—	25 B	0	10 E, I	25 B	20 C	40	K
MFR-H Multifamily— Highest	12	—	—	25 B	0	10 E, I	25 B	20 C	40	K
MHR Mobile Home	10	—	—	25 B	25	10 I	30	25 B	20	K
A-1	—	—	—	25 B	25	10 I	25 B	20 C	40	K
MFR-GHD Garden Home District	6	6,000	60	20 B, H	20	0 D, J	5 B, H	4 C, H	40	K

- A. Lots of less than 120 feet wide require curbs. Lots 120 feet wide or greater may use open ditches.
- B. 35 feet on thoroughfares.
- C. 25 feet on thoroughfares.
- D. Zero setback on side only, minimum five-foot separation between buildings.
- E. Ten-foot minimum separation between buildings.
- F. Lots currently in existence with less than 90 feet of width may continue with the same existing setback provided they are not less than a minimum of five feet.
- G. Developer must elect either units per acre or lot area. Two-family residential units on two lots are required when lot area is elected.
- H. Front yard and exterior side yard setbacks shall be measured from the edge of the street ROW or the edge of the drainage utility/access easement (if streets are private), whichever is greater.
- I. 25 feet when abutting land zoned single-family residential (SFR) district.
- J. Ten feet when abutting land zoned anything other than MFR-GHD (garden home district).
- K. Parking is required in accordance with the parking group table in the design criteria manual.

3. *Area and height exceptions.*

- a. Height maximum in community shopping center (CSC), neighborhood commercial (NC), office park district (OPD), light industrial (LI), industrial (I), and business park (BP) districts may exceed 40 feet in height when the building setback from the nearest property line is equal to the building height. Further, the building or structure shall fit under an imaginary line that is not greater than 45.0 degrees at the property line from a horizontal line established at the minimum habitable floor elevation, provided, however, no building or structure on property adjacent to a residential zone shall have a height that exceeds 50 feet.
- b. Exceptions for community shopping center (CSC), neighborhood commercial (NC), office park district (OPD), light industrial (LI), industrial (I), and business park (BP) districts:

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1. On buildings or structures located in these districts, finials, crosses, and other religious symbols shall not extend more than ten feet above the building or extend more than ten feet above the allowable building height; and
 2. Finials, crosses and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- c. Exceptions for the downtown district (DD):
1. On buildings or structures located in the downtown district (DD), finials, crosses and other religious symbols shall not extend more than 18 feet above the building or extend more than 18 feet above the allowable building height; and
 2. Finials, crosses, and other religious symbols shall not be accessible and shall not be illuminated above the roofline.
- d. Communications towers height criteria:
1. Height limitations of communication towers. The maximum communication tower height, including antennae, lightning rods and accessories, in residential districts shall not exceed 40 feet and in non-residential districts shall not exceed 200 feet, unless otherwise approved by city council.
 2. Height limitations for communication towers placed on existing buildings. Communication towers and antennae, which are located on top of buildings or structures shall not be more than 30 percent of the structure height above the structure.
 3. This section applies to telecommunication towers, ham radio and television antennas, microwave relay, radio and television transmission towers.
- e. Buildings or structures located in a planned unit development (PUD): Buildings and structures located in a planned unit development (PUD) shall be exempt from the height limitations contained herein. Height limitations for buildings or structures located within a PUD application will be as established in the ordinance authorizing and approving the PUD.
- f. Accessory buildings or structures in residential districts: Unattached accessory buildings or structures less than 25 feet in height, as measured from the adjacent grade to the highest point of any portion of such building or structure, may be located in required rear or side yards within residential districts, provided they are set back not less than five feet from any interior side lot line, 20 feet from any side lot line adjacent to a side street, and ten feet from any rear lot line.
- g. Interior side yards shall not be required for abutting properties in the same zoning district if both properties are developed as a unit under a common development plan.
- h. When individual attached townhouses or condominiums are to be sold separately, there shall be no minimum lot area requirements, provided that the total land area of the project, including the land on which the units are located and the land held in common ownership by the unit owners, is equal to the total minimum land area required per dwelling unit or lot in the district in which the project is located.
- i. Minimum front yard setbacks for lots with predominant frontage on the curved radius of a cul-de-sac shall be 15 feet.
- j. Stairs in certain situations. In residential zoning districts that have minimum front yard requirements, uncovered stairways associated with a residential use may project into the required front yard but shall remain a minimum of ten feet from the front property line, if:

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1. A building is being elevated or reconstructed on an existing foundation to meet or exceed current city floodplain standards; and
 2. The stairway projection into the required front yard is limited to the minimum area required to meet elevation standards; and the stairway, at its widest point, shall not exceed ten feet.

(Ord. No. 85-37, § 1, 1-6-1986; Ord. No. 89-10, §§ 1—3, 9-11-1989; Ord. No. 89-18, § 1, 11-16-1989; Ord. No. 90-5, § 2, 3-5-1990; Ord. No. 90-6, §§ 1, 2, 3-19-1990; Ord. No. 90-18, § 1, 7-23-1990; Ord. No. 92-15, § 1, 10-5-1992; Ord. No. 92-16, §§ 1, 2, 10-19-1992; Ord. No. 93-5, §§ 1—3, 4-19-1993; Ord. No. 93-8, § 1, 6-7-1993; Ord. No. 94-4, § 1, 4-18-1994; Ord. No. 95-12, § 1, 5-15-1995; Ord. No. 95-4, § 1, 7-24-1995; Ord. No. 95-31, 12-4-1995; Ord. No. 96-10, § 1, 6-3-1996; Ord. No. 96-14, § 3—7, 7-1-1996; Ord. No. 97-5, §§ 1—4, 3-3-1997; Ord. No. 98-1, §§ 1—5, 4-20-1998; Ord. No. 98-14, § 1, 8-17-1998; Ord. No. 98-17, § 1, 9-14-1998; Ord. No. 99-3, §§ 2—7, 1-18-1999; Ord. No. 99-6, §§ 1—7, 13, 1-18-1999; Ord. No. 99-7, § 1, 1-18-1999; Ord. No. 99-11, § 1, 7-26-1999; Ord. No. 99-21, § 2, 10-18-1999; Ord. No. 99-23, §§ 1—3, 10-18-1999; Ord. No. 2000-22, §§ 1, 3, 8-7-2000; Ord. No. 2000-24, § 1, 8-7-2000; Ord. No. 2000-23, §§ 2—4, 8-21-2000; Ord. No. 2000-26, §§ 1, 2, 8-7-2000; Ord. No. 2000-45, §§ 1, 2, 12-18-2000; Ord. No. 2002-1, §§ 1, 2, 1-21-2002; Ord. No. 2004-11, §§ 1—3, 8-2-2004; Ord. No. 2004-12, §§ 1—3, 8-2-2004; Ord. No. 2004-08, §§ 1—4, 8-16-2004; Ord. No. 2004-21, § 1, 12-6-2004; Ord. No. 2005-32, § 1, 10-17-2005; Ord. No. 2005-33, §§ 2, 3, 10-17-2005; Ord. No. 2006-15, § 1, 7-24-2006; Ord. No. 2007-04, § 1, 4-2-2007; Ord. No. 2007-11, § 2, 10-1-2007; Ord. No. 2007-18, § 1, 10-15-2007; Ord. No. 2008-06, § 2, 2-18-2008; Ord. No. 2008-16, §§ 1, 2, 7-21-2008; Ord. No. 2008-28, §§ 1, 2, 11-3-2008; Ord. No. 2008-41, § 1, 11-17-2008; Ord. No. 2009-10, § 1, 6-15-2009; Ord. No. 2009-09, §§ 1, 2, 8-3-2009; Ord. No. 2009-25, § 1, 1-4-2010; Ord. No. 2010-11, §§ 1—11(exh. A), 4-19-2010; Ord. No. 2010-41, § 1, 1-10-2011; Ord. No. 2011-14, § 1, 4-18-2011; Ord. No. 2011-35, §§ 2, 5(exh. A), 6(exh. A), 12-5-2011; Ord. No. 2011-36, § 2(exh. A), 12-5-2011; Ord. No. 2012-31, § 1(exh. A), 12-3-2012; Ord. No. 2013-09, § 2, 5-6-2013; Ord. No. 2013-45, § 4(exh. A), 12-2-2013; Ord. No. 2014-05, § 2(exh. A), 4-7-2014; Ord. No. 2016-10, § 2(exh. A), 4-4-2016; Ord. No. 2017-07, § 2, 3-6-2017; Ord. No. 2018-15, §§ 2(exh. A), 3(exh. B), 7-2-2018; Ord. No. 2018-16, § 2(exh. A), 7-2-2018; Ord. No. 2019-18, § 2, 6-3-2019; Ord. No. 2019-19, § 5, 6-3-2019; Ord. No. 2020-04, § 2, 2-3-2020; Ord. No. 2020-17, § 2(Exh. A), 4-6-2020; Ord. No. 2020-44, § 2, 12-7-2020; Ord. No. 2021-04, §§ 2, 3, 3-1-2021; Ord. No. 2021-05, § 2, 3-1-2021)

Section 8. Supplementary district regulations.

- A. *Visibility at intersections in residential districts.* On a corner lot in any residential district, hedges and vegetation shall not be planted or allowed to grow in such a manner to materially impede vision between a height of 2½ feet and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines on such corner lots and a line joining points along said street lines 25 feet from the point of the intersection.
- B. *Fences and walls.* Except as provided below, fences and walls are permitted in or along the edge of any required yard. However, no fence or wall shall be constructed on any exterior side yard so as to constitute a hazardous visual obstruction to traffic in any direction, and the same must conform to subsection A of this section. Additionally, fences and walls may only be constructed in front yards on lots adjacent to FM 528, FM 2351, and FM 518 north of FM 2351 and south of FM 528 or on lots greater than two acres, provided that no hazardous visual obstruction is created. On residential lots, decorative, transparent fences may be constructed in front yards on lots greater than two acres or that have a minimum lot width of 150 feet at the street. Chain-link and barbed wire fences are prohibited in the front yards in residential districts. Additionally, all fences must be installed with the finished side facing outward. Exception: any size lot may construct a fence when all adjoining lots facing the same right-of-way or private street have existing compliant fences in the front yard.
- C. *Accessory buildings.* Except as specifically permitted by this appendix, no accessory building shall be erected in any required yard, and no separate accessory building shall be erected within five feet of any other buildings.
- D. *Erection of more than one principal structure on a lot.* In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard, street frontage, and other requirements of this appendix shall be met for each structure as though it were on an individual lot.
- E. *Structures to have access.* Every building hereafter erected shall be on a lot adjacent to a public street, an approved private street, or provide written documentation for shared access agreements, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, shared parking and/or off-street parking.
- F. *Off-street parking and loading regulations.* It is the intent of this section to ensure that adequate off-street parking and loading is provided with the construction, alteration, remodeling or change of use of any building or change of use of land. Specific guidelines regarding recommended off-street parking spaces and parking lot geometrics shall comply with the requirements of the current Design Criteria Manual.
1. Approval by the Planning and Zoning Commission shall be required of parking area layouts and design of all off-street parking, including shared parking areas, with the recommendation by the city engineer. The city engineer shall render to the Planning and Zoning Commission his recommendation regarding the usability of the proposed parking spaces, and the adequacy of vehicular circulation patterns.
 2. The owner and the occupier of any property upon which a business is located shall provide loading and unloading areas of sufficient number and facility to accommodate on such business premises all vehicles that will be reasonably expected to simultaneously deliver or receive materials or merchandise, and of sufficient size to accommodate all types of vehicles that will be reasonably expected to engage in such loading or unloading activities.
 3. Any person desiring a building permit for the construction, alteration, or change of use of the land or any business building or structure shall submit a plot plan to the building official designating the number, dimensions and locations of all loading areas and all proposed avenues of ingress and egress to the property from adjacent public thoroughfares. The building official shall not issue such permit if it

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is determined that the proposed loading and unloading facilities will present a direct or indirect hazard to vehicular or pedestrian traffic.

G. *Reserved.*

H. *Reserved.*

I. *Landscaping and screening requirements.*

1. *Purpose.* The provisions of this subsection I for the installation and maintenance of landscaping and screening are intended to protect the character and stability of residential, commercial, institutional and industrial areas, to conserve the value of land and buildings of surrounding properties and neighborhoods, and to enhance the aesthetic and visual image of the community. In furtherance thereof, trees utilized to comply with the requirements of this subsection I shall be of a type contained in the list of qualified trees approved from time to time by the city council and contained in the city's design criteria manual ("Qualified Tree List").

2. *Perimeter landscaping and screening.*

a. Adjacent property, buffer maintenance and installation.

(1) When a commercial (CSC, LNC, NC, OP, DD, PUD, A-1) or industrial (LI, I, BP) use is established on a lot or premises located adjacent to any residential zoning district, or when any multiple-family dwelling use is established on a lot or premises adjacent to any property located in a single-family residential zoning district, or when an industrial use is established on a lot or premises adjacent to any property located in a commercial zoning district, a ten-foot in width landscaped open space buffer strip shall be installed and maintained by the owner, developer or operator of the multiple-family dwelling, commercial or industrial property between it and the adjacent protected property.

(2) In addition, an eight-foot-high opaque fence or wall shall be erected and maintained along the common property line. Graduated fences may be allowed by the commission, when the safety and general welfare of the public would be better protected by such design. The fence or wall shall be constructed of wood, masonry, or decorative concrete, or any combination thereof. Metal may be used only as a concealed structural element. Alternatively, some types of vegetation may be allowed for such screening, provided plantings are evergreen and dense enough to provide an opaque or substantially opaque screen. Any combination of fencing, earthen berms, and vegetation may be used to comply with the eight-foot screening requirement.

(3) The provisions of this subsection may not apply where the uses are separated by a driveway, easement, drainage ditch, canal, or similar features determined to provide adequate buffering to those listed herein which are a minimum width of 30 feet. The commission shall determine the required screening after giving due consideration to the intensity of the commercial use, the zoning classification, and adjacent land uses. When a residentially zoned property is rezoned to commercial, an existing fence may, if requested by the staff, the commission, or the applicant, be removed, in whole or in part, to allow joint or shared access to parking and driving areas. Documentation may be required detailing a joint use agreement between or among property owners.

Conversely, when a single-family use is established on property adjacent to any commercial, industrial, or multiple-family zoning district, an eight-foot high opaque fence or wall shall be erected and maintained along the property line. The ten-foot buffer strip shall not in this instance be required.

(4) The commission may consider alternate screening plans for uses interior to a common development.

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- a-1. Adjacent property, buffering streets. All land zoned commercial or industrial, as that term is defined in this section, shall have a minimum ten-foot landscaped open space adjacent to each public right-of-way located within the required yard.
- b. Trees for buffer strips. If an open space buffer strip is required under the terms of this subsection I, not less than one tree, whether existing or planted, shall be maintained for each 25 lineal feet or portion thereof of solid open space buffer strip.
- b-1. Landscape trees. All required trees for landscaping shall be not less than eight feet in height immediately upon planting and shall have a caliper of not less than two inches measured 18 inches above the natural ground level.
- c. Off-street parking landscaping.
 - (1) All areas, other than those located within the industrial district, that are used for parking or display of vehicles, boats, construction equipment or production equipment, shall conform to the minimum landscaping requirements of this subsection 2.c. Areas that are of a drive-in nature, such as filling stations, grocery stores, banks and restaurants also, shall conform to the minimum landscaping requirements of this subsection 2.c.
 - (2) It is the intent of this subsection 2.c to promote the placement of trees along the thoroughfares of the city. Therefore, at least 50 percent of the required trees shall be located between the street and any buildings. No tree other than those species listed as small trees (size 3) on the qualified tree list may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, sewer line, transmission line or other utility.
 - (3) Parking lots shall be considered small if they contain spaces for 20 or less cars. Small parking lots shall have "open" landscaped areas that are equal to not less than ten percent of the parking area and drives in the parking area. The required area may be used as islands or perimeter landscaping or in any combination. A minimum of one Class 1 or Class 2 tree from the qualified tree list shall be planted and maintained for each 250 square feet or portion thereof of landscaped open space area.

Parking lots with more than 20 parking spaces shall have open landscaped areas equal to ten percent of the parking area and drives in the parking area. Fifty percent of the required landscaped area shall be used as islands. Perimeter landscaping shall have at least one such tree for each 40 lineal feet or fraction thereof. Each island shall have one such tree planted and maintained thereon.
 - (4) All planted islands shall have curbs of sufficient height and width to contain the planted island.
 - (5) Planted islands are to integrate groundcovers and small shrubs while minimizing the use of medium to tall shrubs; and shall not obstruct visibility of pedestrians and vehicles.
 - (6) Off-street parking areas that are adjacent to residentially zoned property shall have opaque fences or walls, eight feet in height above ground level, which shall be erected and maintained along the property line to provide visual screening.
 - (7) All trees required in this subsection 2.c shall have a caliper of not less than two inches, measured 18 inches above the natural ground level.

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- (8) If paving around a tree is required on private property, use porous pavements such as cast-in place, monolithic turf, and concrete combinations over specimen roots to allow water and air exchange.
 - (9) All plants shall receive proper irrigation to encourage deep root growth and survivability.
 - d. Existing plant material.
 - (1) Where healthy planting exists on a site, the building official shall credit the property owner for existing plants that are retained and used when calculating vegetation requirements under this section. When healthy trees exist on a site, and when they are equivalent in size and species to those required by this subsection, the building official shall credit the property owner for existing trees that are retained and used when calculating requirements under this subsection.
 - (2) Existing landscape areas to be retained shall be protected from vehicular encroachment and damage during and after the construction phase by appropriate barriers. Parking or storing of vehicles, equipment, or materials is not allowed within the protective root zone.
 - (3) Protective barricades are to be installed around all protected trees prior to any construction activities on a development site. Barricades are to be installed a minimum of ten-feet from a protected tree or at the designated protective root zone.
 - (4) Protective barricades may be removed only to prepare the development site for final landscaping activities.
 - e. Maintenance and care of trees.
 - (1) Maintenance period for trees. For any tree installed in fulfillment of the requirements of this appendix, or any previously existing tree used in fulfillment of the requirements of this appendix, it shall be the responsibility of the then property owner to maintain such tree in a healthy condition. In the event of serious damage, disease or death of the tree, or if the tree should otherwise fail to survive, the then property owner shall, at his sole cost and expense, replace it with a tree that meets the requirements of this appendix, within 120 days from the date of notification by the city.
 - (2) Pruning of trees. It shall be unlawful as a normal practice for any person, firm or city department to top any tree on public property. Topping is hereby defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from the requirements of this appendix at the determination of the building official.
 - (3) Maintenance of trees over rights-of-way.
 - (a) Any entity pruning trees located in public rights-of-way or in excavating in rights-of-way or in easements shall be required to notify the city building official and to prepare such plans or outline such programs as the official deems necessary. The building official's permission must be secured before such work may begin. A developer shall have the responsibility to verify that such approval has been granted prior to the installation of utilities within easements on the developer's property.
 - (b) Every owner of any tree overhanging a street or right-of-way within the city shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that

there shall be a clear space of eight feet above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the right, with 14 days advance notice to the owner or agent, to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or interferes with the visibility of any traffic control device or sign.

- (c) It is prohibited to cut trees or clear vegetation on public rights-of-way to provide better view of off-premise signs.
 - (4) Removal of hazardous trees. The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property or harbor insects or disease which constitute a potential threat to other trees within the city. The city will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within 60 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal on the owners' property tax notice.
- f. Preserving trees; historical significance.
- (1) Findings. The founders of the city chose to locate the community in its present location because of the inspiring, tranquil beauty of the huge oaks which occupied the creek banks and surrounding terrain. The name given the new town, Friendswood, was chosen because of its apt description of the settlers members of the Friends Church, and the topographical character of the land, and the woods found in abundance along the four creeks. The city council hereby finds and determines that the preservation of the naturally wooded topography is of historical significance to the city.
 - (2) Purpose. It is the intent of this subsection to encourage the preservation of existing trees within the city, and the historical significance thereof, and to prohibit their unwarranted destruction.
 - (3) Tree survey required.
 - (a) A tree survey showing thereon the location of all living trees that have a caliper of 12 inches or greater, measured at a point 4½ feet above the natural ground level, shall be required for:
 - (i) All proposed development on land located in districts zoned as neighborhood commercial (NC), community shopping center (CSC), downtown district (DD), local neighborhood commercial (LNC), office park district (OPD), light industrial (LI), industrial (I), agricultural (A-1), business park (BP), planned unit development—mixed use (PUD-Mixed Use), or multifamily residential, low density (MFR-L), multifamily residential, medium density (MFR-M), and multifamily residential, high density (MFR-H);
 - (ii) All proposed development on land for which a specific use permit is required by sections 7.P and 9.G; and
 - (iii) For residential developments on land located in districts zoned as single-family residential (SFR), planned unit development cluster home (PUC—Cluster Home), or multifamily residential-garden home district (MFR-GHD), provided, however, the tree survey required by this subsection

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shall be required only for the common areas located within those developments, such as community parks, where residents of the developments would have common access.

- (b) If the property contains no trees fitting the description in subsection (a) of this section, no tree survey shall be required if a signed statement verifying that no such trees exist is filed with the community development office of the city (hereinafter "community development").
 - (c) The developer or owner of the property to be developed shall sign the tree survey certifying that it is, to the best of their knowledge, true and correct.
 - (d) The tree survey shall be submitted to community development concurrently with or as a part of the site plan, development permit or plat. Community development shall be authorized to review the data on-site for verification. The tree survey shall be accepted by community development or community development shall provide a notice, in writing, of its reasons for any action other than an acceptance thereof.
- (4) Site plan to include trees.
 - (a) Every site plan submitted shall include all living trees identified on the tree survey as required by subsection I.f(3) of this section. Each such tree identified on the site plan shall bear a notation indicating the tree's status as either "protected" or "to be removed." A tree identified as "protected" indicates a tree that is not scheduled for removal during construction. A tree identified as "to be removed" indicates a tree that is scheduled for removal during construction. Each tree removed during construction shall be mitigated as required in subsection I.f(6) of this section.
 - (b) Trees identified with the notation "protected" shall also be physically marked at the development site so as to be readily distinguishable from trees that are identified on the site plan as "to be removed."
- (5) Review and acceptance of site plan. Community development shall review the tree survey portion of site plans to ensure compliance with the provisions of this subsection.
- (6) Mitigation and incentives.
 - (a) Every development requiring the issuance of a development permit or the approval of a site plan or plat shall maintain a minimum of one tree from the qualified tree list for each 30 linear feet of street frontage, with such trees having a minimum caliper of two inches measured at a point 18 inches above the natural ground level.
 - (b) Class 1 or Class 2 trees, 12 inches in diameter or greater, measured at a point 4½ feet above the natural ground level, shall be counted, on a one-for-one basis, toward the minimum number of trees required by this subsection I. Trees located within a buffer zone shall not be counted unless identified as "protected."
 - (c) Mitigation shall be required, on a one-for-one basis, for every tree with a caliper of 12 inches or greater, measured at a point 4½ feet above the natural ground level, that is removed from the development site. For each such tree removed, mitigation shall be accomplished by planting one Class 1 or Class 2 tree from the qualified tree list.

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- (d) New trees used for mitigation purposes or for landscaping shall have a caliper of at least three inches, measured at a point 18 inches above the natural ground level.
 - (e) The landscaping plan shall clearly indicate which trees are being planted to replace trees identified as "to be removed" during development.
 - (f) If, due to the nature of a proposed development and unique characteristics of land, trees cannot be planted in a sufficient number to meet the requirements hereof, a developer may elect to provide for a compensating tree to be planted elsewhere within the city. Compensating trees shall be placed on public property, as near as reasonably practicable to the development site, and may be accomplished by donating a tree in kind, or by payment to the city of such amounts as may be established from time to time by city council, based on the city's actual costs of acquisition. Compensating trees shall be planted within the time periods required for replacement trees.
 - (g) To encourage maintenance of the suburban wooded character of the community, the city council may from time to time establish incentives to developments which retain more Class 1 or Class 2 category trees than is required by this subsection.
- (7) Tree protection. Property owners shall be required to ensure that each of the trees identified as "protected" on the site plan survives. If a tree identified as "protected" fails to survive, the property owner shall replace such tree, at its sole cost and expense, within 120 days from the date of notification by the city, with a Class 1 or Class 2 tree from the qualified tree list, which has a minimum caliper of three inches, measured 18 inches above natural ground level.
- g. One tree required for each lot developed for single-family residential use. Each lot developed for single-family residential use shall have one of the qualified trees located in the required front yard, before a certificate of occupancy may be issued. An exception may be made by the building official for substantially wooded lots, in instances where the building official determines there is not sufficient space in the front yard for proper growth, or where the planting of the tree would constitute a hazard to persons or property.
 - h. Exception for lots used for single-family residential dwelling purposes. Notwithstanding any other provision of this subsection I to the contrary, nothing contained herein shall be deemed to prohibit the owner or occupant of a single-family residential dwelling from trimming, pruning, or removing any tree located on a lot owned or occupied by such person as a private residence, provided that at least one tree is retained in the front yard, per section 8.I.g.

J. *Performance standards.*

1. *Compliance required.* Except as otherwise provided herein, no land, building or structure in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration; smoke, dust, or other form of air pollution; heat, cold, dampness, electrical or other substance, condition or dangerous element in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises. Permitted uses as set forth in this appendix shall be undertaken and maintained only if they conform to the regulations of the section.
2. *Performance standard regulations.* The following standards shall apply in the various zoning districts as indicated:

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(Supp. No. 3)

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- a. *Exterior noise.* Noise standards shall apply to all property owners within the city and shall be in accordance with chapter 54, Offenses and Miscellaneous Provisions, article IV, Noise, of the Code of Ordinances.
 - b. *Vibration.* No vibration from any use within any zoning district shall be permitted which is perceptible without instruments at any residential property line within any residential zoning district.
 - c. *Lighting and glare.*
 - (i) *Prohibited.* It shall be unlawful for any person to cause or permit to be energized on property under his possession or control any lighting, including, but not limited to, spotlights, floodlights or similar illuminating devices which project a glare or brightness, in excess of the standards described below, directly or indirectly upon any lot, tract, or parcel of land, other than that upon which such lighting is situated, which shall annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others, within the limits of the city.
 - (ii) *Permitted.* All lighting in the city consisting of spotlights, floodlights, or similar illuminating devices shall be installed, hooded, regulated and maintained by the owner or person in control thereof in such a manner that the direct beam of any such light shall be oriented so that it will not glare upon any lot, tract, or parcel of land other than that upon which it is situated and so that it will not cause or permit any illumination from direct or indirect lighting in, on, or over the ground at or beyond the boundary of the lot, parcel, or tract above the following levels:
 - 1. One footcandle where the adjacent development is zoned for nonresidential uses.
 - 2. Twenty-five hundredths (0.25) footcandle where the adjacent development is zoned for residential uses.
 - (iii) *Shielding required.* All exterior light sources visible to pedestrian or vehicular off-premises traffic are required to be shielded, except as provided below, so that the light source is not visible to said pedestrian or vehicular traffic. Lights elevated on standards, for example in parking areas, shall be side-shielded on pedestrian or off-premises vehicular travel sides. Lighting mounted on low standards (such as bollard lights) is the preferred method for illuminating smaller parking areas and walkways.
 - (iv) *Exceptions.*
 - (1) Unshielded lighting facing pedestrian or off-premises vehicular sides of the property shall be permitted, provided the light source is not in excess of 1,700 lumens.
 - (2) Historical-style or architectural lighting visible to pedestrian or vehicular off-premises traffic shall be permitted, provided that the fixture or fixtures does not cause or permit any illumination in, on, or over the ground at or beyond the boundary of the lot, parcel, or tract above the following levels:
 - a. One footcandle where the adjacent development is zoned for nonresidential uses.
 - b. Twenty-five hundredths (0.25) footcandle where the adjacent development is zoned for residential uses.

(3) Common developments. The maximum footcandle allowed at an interior lot line shall not exceed five footcandles. Each phase of development must comply with lighting requirements applicable to exterior lot lines.

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(v) *Compliance required.* This appendix shall apply for all new facilities upon adoption and publication as required by law. All existing facilities with lighting in place on the date of adoption shall comply with the requirements herein within 24 months after the effective date of the ordinance from which this appendix is derived by installing shielding, redirecting lights, or other steps necessary for compliance. The commission may grant a one-time extension of up to an additional 24 months if the property owner or agent can demonstrate hardship, including undue expense related to the time requirement for facilities replacement. Further, existing publicly owned facilities shall be required to comply with the requirements herein at such time as the facilities undergo renovation to the exterior or where overall renovation exceed 50 percent of the costs of construction of the existing facilities. Welding, new construction and repairs of facilities shall be exempt from these regulations, provided, however, that no requirements will be imposed in derogation of federal or state safety and health regulations.

d. *Particulate air contaminants.* No emissions, dust, fumes, vapors, gases, or other forms of air pollution shall be permitted in violation of the rules and regulations of the state air control board and the environmental protection agency.

3. *Exceptions from performance standards.* The owner or operator of any building, structure, operation or use which violates any performance standard may file an application for a variance from the provisions thereof wherein the applicant shall set forth all actions taken to comply with said provisions and the reasons why immediate compliance cannot be achieved. The board of adjustment may grant exceptions with respect to time of compliance, subject to such terms, conditions and requirements as it may deem reasonable to achieve maximum feasible compliance with the provisions of this section. In its determinations, the board of adjustment shall consider the following:

- a. The magnitude of the nuisance caused by the violation.
- b. The uses of property within the area of impingement by the violation.
- c. The time factors related to study, design, financing and construction of remedial work.
- d. The economic factors relating to age and useful life of the equipment.
- e. The general public interest, welfare and safety.

K. *Sign regulations.* The sign regulations are printed in Appendix A to this Code.

L. *Screening for dumpsters and recycling storage containers.*

1. *Dumpsters and recycling collection areas.*

- a. Dumpsters and recycling collection areas shall be located to minimize their visibility from public streets.
- b. Dumpsters and recycling receptacles shall be screened to a height sufficient to screen the refuse from public view.
- c. Dumpsters and recycling collection enclosures shall contain permanent walls on three sides with the service opening not directly abutting a public sidewalk. The fourth side shall incorporate enclosure doors.

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(Supp. No. 3)

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- d. The opening for removal of the dumpster or recycling receptacle for collection is a minimum of 12 feet to allow for proper access when it is serviced. For every dumpster added, an additional ten feet in width is required.

M. *Commercial activities and outdoor sales.*

1. *Commercial activities.*

- (a) *Permanent structure required.* Except as herein provided, every business within the city must be operated out of a permanent, stationary, site-built building.
- (b) *Temporary construction structures.* Temporary buildings and building material storage areas to be used for construction purposes may be permitted for a specific period of time in accordance with a permit issued by the building official for a period not exceeding the period of construction. Upon completion or abandonment of construction, such field offices and buildings shall be removed at the owner's expense. Such uses shall be located on a platted lot, and may not be placed on-site until improvements are accepted by the council, or in the case of developed sites where improvements exist, until a permit is issued.
- (c) *Temporary sales structures.* Temporary buildings for temporary sales offices, and temporary off-street parking areas, may be permitted in conjunction with new home sales. Such uses shall be located on a platted lot, may not be placed on-site until improvements are accepted by the council, or in the case of developed sites where improvements exist, until a permit is issued. Such structures and parking areas shall be removed when the subdivision is sold out. One temporary sales office is permitted per builder in a subdivision.
- (d) *Businesses creating nuisance.* Any business operating within a temporary structure as authorized above that constitutes a public nuisance to the surrounding neighbors or endangers public health, safety or welfare shall be cited for nuisance violations under this Code and shall be required to cease operations as directed by the building official, or other designee.
- (e) *Portable buildings or structures.* Portable buildings or structures, including, but not limited to, cargo boxes or tractor-trailers, are not permitted for use as commercial or business operations, provided, however, that such may be used as accessory structures for storage for a main business. The number and location of such structures are subject to a site plan review and approval by the city community development department. Mobile homes or RVs are not permitted to be used as accessory buildings.
- (f) *Restroom facilities.* Every business within the city must provide permanent restroom facilities on-site available for use by the customers of that particular business. These facilities may be located within the same building as the business, or may be provided in an adjacent business with evidence of a perpetual agreement for such with the owner of the adjacent business. Restroom facilities shall be in compliance with all applicable state, county and city building and health code provisions, including restroom facilities for handicapped individuals, for the size and type of business to be conducted at that location.
- (g) *Exceptions.* In the event of a natural disaster (e.g., flood, hurricane), or other catastrophic loss (e.g., fire), the city council may suspend the application of this appendix for such period of time as may be determined to be necessary for reconstruction of permanent structures.

2. *Outdoor sales.* For the purposes of this section, outdoor sales are defined as the display outside of a permanent structure, for the purpose of purchase by consumers, whether immediately or by placing of orders, of any merchandise, services, products, or goods irrespective of whether payment for such is made outdoors or in a permanent structure. Outdoor sales for commercial or business purposes shall be allowed only under the following conditions and procedures:

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- (a) *Permit required.* No person shall conduct outdoor sales either in the open or under a tent or other temporary cover for commercial or business purposes within the city limits without first obtaining a permit under this section.
 - (b) *Application for permit.* Any person desiring to conduct outdoor sales shall apply to the building office for a permit. The application shall state the name of the person conducting the activity; the proposed location; the name of the owner of the property where the sales are to be located; the nature of the intended activity; and the proposed dates of use; and other pertinent information on the form. Proof of insurance for the activity, in a minimum amount of coverage as determined by city council, or required by law, and a copy of the activity's sales tax certificate shall also be submitted prior to issuance of a permit. A site plan shall also be submitted to city staff containing all information required by the zoning ordinance for administrative review. The city reserves the right to require additional information or verifications, such as health permits, depending upon the type of business and regulatory oversight by other entities.
 - (c) *Fee.* The building department shall charge and collect a fee before issuance of a permit, in an amount set by the city council. If the activity ceases, closes, or is terminated for any reason prior to the expiration of the permit, there shall be no refund of the above fee.
 - (d) *Zoning compliance required.* Outdoor sales will be allowed for commercial or business purposes only at locations which are properly zoned for the nature of commercial or business activity to be conducted at that location. Further, all outdoor sales activities must comply with the setback requirements, parking requirements and other standards in city ordinances.
 - (e) *Number of permits.* There shall not be more than three permits issued to a person or business, or for a location, within a calendar year, nor shall permits be allowed to run consecutively during two, 12-month periods. Permits shall be issued a minimum of 30 days apart.
 - (f) *Hours of operation.* A permit for outdoor sales shall be for a period not to exceed 15 consecutive calendar days. The commercial or business activity shall be allowed to conduct business no earlier than 9:00 a.m., and must close activities no later than 10:00 p.m. or until dark (official sundown), whichever comes first, unless the applicant shows adequate lighting on the site plan or it is an outdoor sales activity related to the primary business activity on the site and adequate lighting is provided on-site. The permittee must remove all items, tents and materials used for the conduct of the outdoor sales from the location not later than 5:00 p.m. of the day after the final date of the permit. However, any such permit issued for an activity commencing on the Friday, Saturday or Sunday immediately preceding Thanksgiving shall be effective from that date until 12:00 midnight, December 25 that year, and all materials shall be removed by 5:00 p.m., December 26.
 - (g) *Compliance with all codes.* All tents or other coverings and materials used for commercial and business purposes must otherwise comply with all applicable fire, safety and other codes in effect during the dates of the permitted activity.
 - (h) *Posting.* A copy of the permit shall be conspicuously posted at or upon the entrance to the outdoor sales activity at all hours during the approved dates of the activity.
 - (i) *Operating without a permit; false information.* Any person or entity conducting outdoor sales for commercial or business purposes without complying with this section, or who gives false, misleading or incomplete information on an application, shall within one day of notice of violation obtain the required permit for a fee in an amount which shall be triple the normal fee, or immediately cease and desist from all activity covered by this article, and remove the outdoor sales activity from the premises before midnight of that day.

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(j) *Existing outdoor sales.* Any person conducting outdoor sales as defined above, on the effective date of the ordinance from which this appendix is derived, must either apply for and receive a permit, or cease the use and remove the activity no later than 5:00 p.m. on the seventh calendar day after the effective date of the ordinance from which this section is derived.

(k) *Farmers markets.*

- i. For the purposes of this section, farmers markets are defined as an organized entity/operation, certified by the state department of agriculture, that allows a group of food growers/manufacturers to market and sell their farm produce and products in a specific location. The products would include herbs and spices in their natural or dried state, vegetables, fruits, nuts, berries, grains, honey, watermelons and other melons, and cantaloupes in their natural state as well as farm produce, shelled peas or legumes, yard eggs and packaged foods processed or manufactured by a vendor in a licensed food establishment and packaged and labeled according to law.
- ii. No resale or craft items are allowed to be sold at farmers markets.
- iii. These markets must comply with subsections m.2(a) through (d) and (g) through (i) of this section, as well as the following.
- iv. In addition to the application and supporting documents listed in subsection (b) of this section, the applicant must also provide:
 - 1) Security agreement with peace officers;
 - 2) Traffic control plan;
 - 3) County health district vendor's permit;
 - 4) Janitorial/clean up service agreement and/or plan.
- v. Hours of operation. Farmers markets may be permitted for one weekend a month (Saturday and Sunday only) for up to six months, from 8:00 a.m. to 6:00 p.m. At the close of the market on Sunday, all market items must be removed from the site, including display tables, tents, equipment, etc.

3. *Exemptions.*

- (a) *Charitable or nonprofit events.* The conducting of outdoor sales or commercial activity by a governmental entity, public utility, or tax exempt not-for-profit organization formed for education, philanthropic, scientific or religious purposes, where any proceeds and profits are designed to be contributed to such entity conducting the activity, or where the activity occurs on property owned by a governmental entity. However, such entities and organizations shall comply with all other ordinances and laws applicable to their activity, and no such activities shall be allowed on the public rights-of-way.
- (b) *Outdoor displays of merchandise.* Outdoor displays of merchandise by retail businesses shall be allowed if the display involves items for sale by a commercial retailer located within a permanent structure. Such displays may not cover more than half of the width of the pedestrian walkway between the storefront and the curb, unless other accommodations for pedestrian travel satisfactory to the building official are made. A permit shall be required for the placement of outdoor sales activities or items within any parking lot, and a permit shall not be granted if the proposed area eliminates required parking areas, provided, however, that special events shall be exempt from this latter provision, where emergency access and parking is approved by the building official in advance of the event. For the purposes of this section, "special event" is defined as a temporary outdoor use on private property that extends beyond the normal uses

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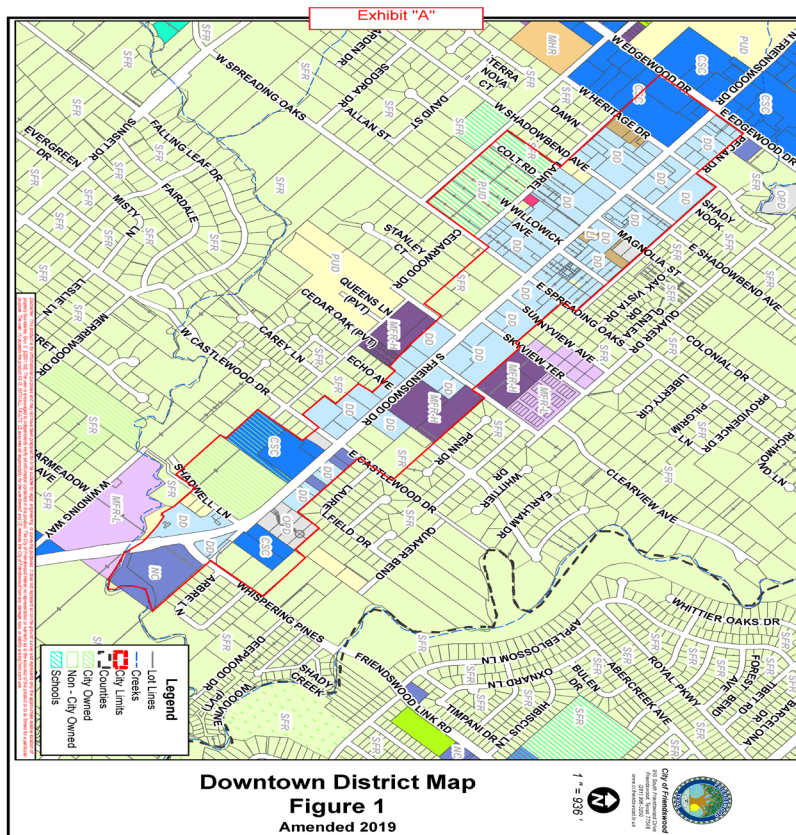
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and standards allowed by the zoning ordinance of the city and which runs not longer than four days. Special event includes, but are not limited to, art shows, sidewalk sales, pumpkin and holiday sales, festivals, craft shows and church bazaars.

- (c) *Suspension in the event of disaster or loss.* In the event of a natural disaster (e.g., flood, hurricane), or other catastrophic loss (e.g., fire), the city council may suspend the application of this appendix for such period of time as may be determined to be necessary for reconstruction of permanent structures.

N. *Downtown District supplemental requirements.* These supplemental requirements shall apply only to new developments within the Downtown District or where a structure in the district has lost its nonconformity. A new development shall be defined as any new project built on a raw or otherwise vacant tract or tracts of land, not associated with an existing structure. A structure shall be deemed to have lost its nonconformity as determined by Zoning Ordinance Section 6.

- 1. *Geographic limits.* The geographic limits of the Downtown District are as shown on the Downtown District map (Figure 1). All properties within these geographic limits may rezone to Downtown District (DD). Those properties outside the geographic limits may not rezone to Downtown District (DD).



2. *General purpose and description.* The downtown district (DD) is intended to create a mixed use environment based on traditional neighborhood and smart growth standards. It is designed for physical flexibility with zero setbacks and allows for the redevelopment of small, existing tracts. The encouragement of a pedestrian friendly environment is established by allowing shared parking and on-street parking, as well as sidewalks and street furnishing.

3. *Parking.* To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Parking spaces and parking lot geometrics shall comply with the requirements of the current Design Criteria Manual.

4. *Architectural standards.*
5. *Screening.*
6. *Sidewalks.*
7. *Parkways and landscaping.*

a. The 15-foot parkway required along FM 2351 and FM 518, which runs parallel and adjacent to each street's back of curb, includes a seven-foot landscape area. This area shall be reserved for amenities, such as street furniture, lighting and landscaping, and may include grass, brick pavers or other decorative material as approved by the Planning and Zoning Commission.

8. *Adjacent property, buffer maintenance and installation.*

9. *Utilities.* All permanent utilities serving the property shall be located underground, at the owner's expense.

(Ord. No. 86-10, § 1, 8-18-1986; Ord. No. 96-6, § 1, 5-20-1996; Ord. No. 97-14, §§ 1—11, 11-3-1997; Ord. No. 98-1, §§ 6, 7, 4-20-1998; Ord. No. 98-14, § 4, 8-17-1998; Ord. No. 99-6, §§ 8—12, 1-18-1999; Ord. No. 99-1, § 1, 1-18-1999; Ord. No. 2000-24, §§ 2—4, 8-7-2000; Ord. No. 2000-21, § 1, 9-11-2000; Ord. No. 2000-33, § 1, 10-16-2000; Ord. No. 2001-22, § 3, 10-15-2001; Ord. No. 2001-23, § 1, 11-19-2001; Ord. No. 2004-11, § 4, 8-2-2004; Ord. No. 2004-12, § 4, 8-2-2004; Ord. No. 2005-09, § 1, 2-21-2005; Ord. No. 2005-19, §§ 1—10, 9-12-2005; Ord. No. 2006-11, § 1, 6-26-2006; Ord. No. 2006-16, § 1, 7-24-2006; Ord. No. 2006-17, § 1, 8-7-2006; Ord. No. 2006-23, § 1, 10-16-2006; Ord. No. 2007-18, § 1, 10-15-2007; Ord. No. 2008-06, §§ 4, 5, 2-18-2008; Ord. No. 2008-08, § 1, 4-21-2008; ; Ord. No. 2008-08, § 1, 5-19-2008; Ord. No. 2008-12, § 1, 6-2-2008; Ord. No. 2008-29, § 2, 11-3-2008; Ord. No. 2009-10, § 2, 6-15-2009; Ord. No. 2009-19, § 1, 9-14-2009; Ord. No. 2010-39, § 1, 1-10-2011; Ord. No. 2010-42, § 1, 1-10-2011; Ord. No. 2011-12, § 1, 4-18-2011; Ord. No. 2011-35, § 3, 12-5-2011; Ord. No. 2012-32, § 2, 12-3-2012; Ord. No. 2013-11, § 2, 5-6-2013; Ord. No. 2013-36, § 2, 11-4-2013; Ord. No. 2014-19, § 2, 8-4-2014; Ord. No. 2015-07, § 2, 3-2-2015; Ord. No. 2017-23, § 2, 9-11-2017; Ord. No. 2019-05, §§ 2, 3, 3-4-2019; Ord. No. 2019-16, § 2, 6-3-2019; Ord. No. 2019-17, §§ 2, 3, 6-3-2019; Ord. No. 2019-18, § 3, 6-3-2019; Ord. No. 2019-19, §§ 2—4, 6-3-2019; Ord. No. 2020-04, § 4, 2-3-2020)

Section 20. Definitions.

- (a) The following words, terms and phrases, when used in this appendix, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory use or structure means a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Adult entertainment business shall have the same meaning as "sexually oriented business," as that term is defined in V.T.C.A., Local Government Code ch. 243, and chapter 62 of the Code of Ordinances, and shall include, but not be limited to, an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult tanning salon, adult theater, escort agency, nude modeling studio, sexual encounter center, or any other commercial enterprise, the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer. Such uses shall be allowed only as specifically authorized under the terms of this appendix and chapter 62 of the Code of Ordinances. The determination of what constitutes an adult entertainment business shall be made by the police chief or his/her designee, in accordance with the definitions contained in chapter 62 of the Code of Ordinances, and such determination shall be appealable to the zoning board of adjustment.

Apartment house means any building or portion thereof used as a multiple dwelling for the purpose of providing three or more separate dwelling units which may share means of egress and other essential facilities.

Automobile graveyard means an establishment or place of business that is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

Building means any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels or property of any kind. The term "building" includes the term "structure."

Building area means the surface of the lot covered or occupied by all structures placed thereon, excluding only driveways, walkways and uncovered patios.

Building line means a line parallel or approximately parallel to the street line and beyond which buildings may not be erected.

Childcare center means a childcare facility that is licensed to care for seven or more children for less than 24 hours per day, at a location other than the permit holder's home (pursuant to Texas Administrative Code, Title 40, Part 19, Chapter 746). Compliance with all applicable state regulations is required. A childcare center shall also obtain a certificate of zoning compliance pursuant to section 9.D ("Administration and enforcement—Building permits and certificates of zoning compliance").

1. *Registered childcare home.* In a registered childcare home, the registered primary caregiver provides care in the caregiver's own residence for not more than six children from birth through 13 years, and may provide care after-school hours for not more than six additional elementary school children. The total number of children in care at any given time, including the children related to the caregiver, must not exceed 12 (pursuant to Tex. Admin. Code, Title 40, Part 19, Chapter 747). Compliance with all applicable state regulations is required. A registered childcare home shall also obtain a certificate of zoning compliance pursuant to section 9.D.
2. *Licensed childcare home.* The total number of children in care varies with the ages of the children, but the total number of children in care in a licensed childcare home at any given time, including the children related to the caregiver, must not exceed 12 (pursuant to Tex. Admin. Code, Title 40, Part 19, Chapter 747). Compliance with all applicable state regulations is required. A licensed childcare home shall also obtain a certificate of zoning compliance pursuant to section 9.D.

Cluster housing development means a residential development containing attached or detached units on a limited portion of land with the remaining land areas consolidated into common open space areas.

Common development means two or more business establishments developed under a common plan which may utilize shared driveways and onsite parking facilities, including, but not limited to, shopping centers, office complexes, business parks, and industrial parks.

Comprehensive plan means graphic and textual form policies which govern the future development of the city and which consist of various components governing specific geographic areas and functions and services of the city.

Density means living units per acre in a platted subdivision. The term "density" pertains to total platted acreage, including streets.

Dwelling, garden home, means a dwelling unit which is structurally attached to another dwelling unit but which does not share a common wall.

Dwelling, multiple-family, means any building, or portion thereof, which is designed, built, rented, leased or intended to be occupied as three or more dwelling units or apartments and which includes facilities for food preparation and sleeping.

Dwelling, single-family, means a detached building having accommodations for and occupied by not more than one family.

Dwelling, two-family, means a detached building having accommodations for and occupied by not more than two families. In calculating minimum lot area, a two-family dwelling shall be considered to be two dwelling units.

Dwelling unit means a building or portion of a building which is arranged, occupied, or intended to be occupied as living quarters for one family.

Family means a single individual or a number of individuals domiciled together, whose relationship is of a continuing, nontransient, domestic character and who are cooking and living together as a single, nonprofit housekeeping unit. This shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose relationship is of a transitory or seasonal nature or for anticipated limited duration of school terms or other similar determinable period.

Fence means any structure enclosing, demarcating or surrounding an area of ground to mark a boundary, control access, or prevent escape, in part or in whole.

Graduated fence means a fence required by city ordinance, the height of which may be reduced for some portion of its required length, either in a stair-step configuration or by gradually reducing such height in a straight or radial line. The length and height of the fence so reduced will be determined on the basis of a combination of factors, including, but not limited to, security, public welfare, and pedestrian and traffic safety.

Green space means natural undeveloped areas, such as prairies, farmland, barren land, forests, wetlands and lakes. The term "green space" may also include landscaped perimeters and green landscape reserves along thoroughfares.

Height.

- a. The height of a building shall be measured to:
 - (1) The top of ridge of the highest roof of a sloped roof (i.e., gable);
 - (2) The top of the highest deck of a mansard roof; or
 - (3) The top of the highest parapet wall of a flat roof.
- b. For buildings not located in the floodplain, height is measured from the top of the finished first floor of the building which can be no more than two feet above the finished grade at the site. Finished grade

shall mean the highest grade elevation within five feet of the foundation or wall of the building, said grade having been established by means of an approved grading and/or drainage plan. Finished grade may also be the existing grade elevation when no terrain alteration is proposed, or where otherwise applicable. Any fill which is not required to achieve positive site drainage or slope stabilization, or which is otherwise proposed to raise the finished first floor elevation for any other purpose, shall not be considered to be finished grade for the purpose of measuring building height.

- c. For buildings located in the floodplain, height is measured from the top of the first finished floor which shall be two feet above the average base flood elevation at the site, as established by the latest available flood elevation maps for the city.

Home occupation means an occupation or profession engaged in by the occupants of a dwelling, the conduct of which does not result in the dwelling being identified as a business by the external and objective evidence of a business, such as signs, displays, deliveries, continuous or repetitive traffic (rather than occasional or sporadic traffic) generated by the home occupation, or by regular gatherings of clients or customers for business purposes. Home occupations are a permitted use in accordance with this section, provided that:

1. The occupation or profession conducted within a residential dwelling unit must be clearly incidental and subordinate to the use of the premises as a residential dwelling unit.
2. The home occupation shall be conducted entirely within the dwelling unit or accessory structure.
3. Only members of the family residing on the premises are employed.
4. No internal or external alterations, special construction, or features are involved.
5. There is no advertising of any type on the premises and no other display or storage of materials or exterior identification of the home occupation or variation from the residential character of the main building or any accessory building; however, advertising of the home occupation by published or printed matter is allowed.
6. No equipment is used which creates offensive noises, vibrations, sound, smoke or dust, odors, heat, glare, X-ray or electrical disturbances to radio or television.
7. Vehicles used in conjunction with the home occupation must park completely in the driveway of the resident without blocking the sidewalk.
8. The home occupation must not change the character of the residential area.
9. A childcare center as defined in this section is not recognized as a home occupation.
10. A personal care facility as defined in this section is not recognized as a home occupation.
11. The use of off-site personal services at a residence by the occupant, such as lawn care, maid services, etc., does not constitute a home occupation and is not limited by this appendix.

Junkyard means an establishment or place of business maintained, used, or operated for storing, keeping, buying or selling junk, for processing scrap metal, or for maintaining or operating an automobile graveyard. The term "junkyard" includes garbage dumps and sanitary fills.

Lot includes the term "plot" or "parcel."

Lot measurements.

1. *Depth.* The distance between the midpoint of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. *Width.* The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that width between side lot lines at their foremost point (where they intersect with the street lines) shall not be less than 90

percent of the required lot width except in the case of lots on the turning circle of culs-de-sac where the 90 percent requirement shall not apply.

Office park means one or more commercial buildings with multiple businesses providing services but not delivering products directly to customers and consisting of two or more tenants using common driveways.

Open space means a restricted reserve located within a development with limited low-impact amenities, including, but not limited to, green space, both natural and landscaped, detention areas, trails, lakes, pavilions, benches, outdoor cooking facilities, and active recreational facilities, such as ball and soccer fields, playgrounds, and the like. Amenities may be passive or active.

Parking space, off-street, means a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk, or alley, and so that any automobile may be parked and unparked without moving another. For purposes of rough computation, an off-street parking space and necessary access for maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the city.

Personal care facility means any establishment that furnishes food and shelter to four or more persons who are unrelated to the proprietor of the establishment and provides personal care services as that term is defined in V.T.C.A., Health and Safety Code § 247.002, and as further provided for in V.T.C.A., Human Resources Code § 123.004.

Planned unit development means a district with development characterized by a unified site development plan which may provide for a mixture or combination of residential, recreation and open space and commercial uses.

Servant's or caretaker's quarters means an accessory building located on the same lot as the main building, or a portion of the main building, used as living quarters by persons acting as caretakers of the property or by employed servants and not rented or otherwise used as a separate domicile and not used except as an accessory use to the primary use of the property.

Shopping center means a group of commercial establishments which is planned, developed, owned and managed as a unit related in its location, size and type of shops to the trade area that the unit serves.

Specific use means a use that would not be appropriate generally or without restrictions throughout the zoning district but would, if controlled as to number, area, location or relation to the neighborhood, promote the property held, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in a zoning district as special exceptions, if specific provision for such special exceptions is made in this appendix.

Street means a public or private thoroughfare which affords a principal means of access to abutting property.

Street line means the right-of-way line of a street.

Structural alterations means any change in the supporting member of a structure, such as bearing walls, columns, beams or girders.

Structure means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

Townhouse means a row of three or more attached, one-family dwellings, separated by vertical party or lot line walls, and each having private entrances.

Variance means a relaxation of the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, so that the spirit of the ordinance is observed and substantial justice is done.

Yard means an open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward except for fences and walls.

Yard, front, means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot as specified in each zoning district.

Yard, rear, means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel thereto on the lot as specified in each zoning district. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimensions. On both corner and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, side, means a yard between a building and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the building.

- (b) The present tense includes the future tense; the singular number includes the plural; and the plural number includes the singular.
- (c) The term "shall" is mandatory; the term "may" is permissive.
- (d) The terms "used" and "occupied" include the words "intended, designed or arranged to be used or occupied."
- (e) The term "person" includes an individual, firm, association, organization, partnership, trust, company or corporation.

(Ord. No. 89-9, § 1, 9-11-1989; Ord. No. 89-29, § 1, 1-22-1990; Ord. No. 90-5, § 1, 3-5-1990; Ord. No. 95-36, § 1, 1-8-1996; Ord. No. 96-6, § 2, 5-20-1996; Ord. No. 98-14, §§ 2, 3, 8-17-1998; Ord. No. 98-17, § 2, 9-14-1998; Ord. No. 2001-23, § 2, 11-19-2001; Ord. No. 2005-36, § 1, 11-21-2005; Ord. No. 2008-06, § 3, 2-18-2008; Ord. No. 2009-05, § 1, 6-15-2009; Ord. No. 2013-45, §§ 2, 3, 12-2-2013; Ord. No. 2015-04, § 2, 2-2-2015; Ord. No. 2017-23, § 3, 9-11-2017; Ord. No. 2020-16, § 5, 4-6-2020; Ord. No. 2020-44, § 3, 12-7-2020)



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consideration and possible action regarding a recommendation to City Council regarding proposed amendments to Appendix C, Zoning Ordinance Section 8.I.f Preserving Trees to amend the tree mitigation requirements.

Action:

SUMMARY / ORIGINATING CAUSE

The purpose of amending the tree preservation ordinance is to encourage the developers and property owners to preserve existing trees. The current mitigation regulations require an owner to replace any protected tree that is 12 inches or greater in diameter measured 4.5 feet above natural grade with a minimum 3-inch tree (tree for tree). The proposed regulations would require an owner to replace trees inch for inch and increases the mitigation tree sizes from 3-inch to 4,5 or 6 inch depending on the tree being removed. Percentages of mitigation required depends on the size of the original tree and the location of the new trees. Additionally, the proposed amendments provide incentives for removing invasive species (Class 4) such as Chinaberry and Chinese Tallow trees.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Amending the tree mitigation requirements is intended to preserve more of the existing trees in Friendswood.

RECOMMENDATIONS

The Ordinance Subcommittee recommends the proposed amendments.

ATTACHMENTS

1. REDLINE Section_8.I.f. Preserving Trees

Section 8. - Supplementary district regulations.

I. Landscaping and screening requirements.

2. Perimeter landscaping and screening.

f. Preserving trees; historical significance.

(1) Findings. The founders of the city chose to locate the community in its present location because of the inspiring, tranquil beauty of the huge oaks which occupied the creek banks and surrounding terrain. The name given the new town, Friendswood, was chosen because of its apt description of the settlers members of the Friends Church, and the topographical character of the land, and the woods found in abundance along the four creeks. Over the years, the huge oaks have intertwined to create dense tree canopies throughout the city. The city council hereby finds and determines that the preservation of the naturally wooded topography is of historical significance to the city.

Commented [BB1]: Emphasis on existing trees and the purpose they serve.

(2) Purpose. It is the intent of this subsection to encourage the preservation of existing trees within the city, and the historical significance thereof, and to prohibit their unwarranted destruction.

(3) Tree survey required.

(a) A tree survey showing thereon the location of all living trees that have a caliper of 12 inches or greater, measured at a point 4½ feet above the natural ground level; shall be required for:

Commented [BB2]: Details added under (b) below.

(i) All proposed development on land located in districts zoned as neighborhood commercial (NC), community shopping center (CSC), downtown district (DD), local neighborhood commercial (LNC), office park district (OPD), light industrial (LI), industrial (I), agricultural (A-1), business park (BP), planned unit development—mixed use (PUD-Mixed Use), or multifamily residential, low density (MFR-L), multifamily residential, medium density (MFR-M), and multifamily residential, high density (MFR-H);

(ii) All proposed development on land for which a specific use permit is required by sections 7.P and 9.G; and

(iii) For residential developments on land located in districts zoned as single-family residential (SFR), planned unit development—~~cluster home~~ (PUC—~~Cluster Home~~D), or multifamily residential-garden home district (MFR-GHD), provided, however, the tree survey required by this subsection shall be required only for the common areas located within those developments, such as community parks, where residents of the developments would have common access.

Commented [BB3]: Remove outdated term.

(b) The tree survey certified by a licensed surveyor, a certified arborist, or registered landscape architect, that:

Commented [BB4]: Provide detailed requirements for tree survey.

(i) Identifies:

1. The protected trees sought to be subjected to tree removal at the site, according to location, type and size;

2. Location and total caliper inches of invasive species to be removed, if seeking credit for elimination of invasive species;

3. Areas of construction or other activities to be performed within the critical root zone of a protected tree, including site plans documenting measures to be taken for protection of each impacted critical root zone;

Commented [BB5]: Offer credit for removal of invasive species (class 4 trees).

(ii) Includes tables summarizing the total caliper inches of protected trees to be removed in size categories as follows:

1. 12-inch to 24-inch caliper;
 2. Greater than 24-inch to 36-inch caliper; and
 3. Greater than 36-inch caliper.
- (iii) States the total number of caliper inches to be replaced, calculated using the tree replacement calculation set forth below, and how replacement will be achieved, whether by on-site replacement or off-site replacement, or payment in lieu of replacement; and
- (iv) Includes the proposed plan for tree replacement by location, type and size, if applicable;
- (bc) If the property contains no trees fitting the description in subsection (ba) of this section, no tree survey shall be required if a signed statement verifying that no such trees exist is filed with the community development office of the city (hereinafter "community development").
- (ed) The developer or owner of the property to be developed shall sign the tree survey certifying that it is, to the best of their knowledge, true and correct.
- (ee) The tree survey shall be submitted to community development concurrently with or as a part of the site plan, development permit or plat. Community development shall be authorized to review the data on-site for verification. The tree survey shall be accepted by community development or community development shall provide a notice, in writing, of its reasons for any action other than an acceptance thereof.
- (4) Site plan to include trees.
- (a) Every site plan submitted shall include all living trees identified on the tree survey as required by subsection I.f(3) of this section. Each such tree identified on the site plan shall bear a notation indicating the tree's status as either "protected" or "to be removed." A tree identified as "protected" indicates a tree that is not scheduled for removal during construction. A tree identified as "to be removed" indicates a tree that is scheduled for removal during construction. Each tree removed during construction shall be mitigated as required in subsection I.f(6) of this section.
- (b) "Protected" Class 1 or Class 2 trees, 12 inches in diameter or greater, measured at a point 4½ feet above the natural ground level, shall be counted, on a one-for-one basis, toward the minimum number of trees required by this subsection I.
- (c) Trees identified with the notation "protected" shall also be physically marked at the development site so as to be readily distinguishable from trees that are identified on the site plan as "to be removed."
- (d) The commission may consider alternate landscape plans to promote the protection of existing Class 1 or Class 2 trees.
- (5) Review and acceptance of site plan. Community development shall review the tree survey portion of site plans to ensure compliance with the provisions of this subsection.
- (6) Mitigation and incentives.
- (a) ~~Every development requiring the issuance of a development permit or the approval of a site plan or plat shall maintain a minimum of one tree from the qualified tree list for each 30 linear feet of street frontage, with such trees having a minimum caliper of two inches measured at a point 18 inches above the natural ground level.~~
- (b) ~~Class 1 or Class 2 trees, 12 inches in diameter or greater, measured at a point 4½ feet above the natural ground level, shall be counted, on a one-for-one basis,~~

Commented [BB6]: Moved from mitigation section.

Commented [BB7]: Allows the commission to take into consideration when a project protects large trees. Can then decrease the other minimum landscape requirements (not mitigation).

Commented [BB8]: Included with landscape requirements, not mitigation.

Commented [BB9]: Moved to section (4) above.

toward the minimum number of trees required by this subsection I. Trees located within a buffer zone shall not be counted unless identified as "protected."

- (a)(e) Mitigation shall be required, ~~on a one-for-one basis, for every tree~~ Class 1 and Class 2 trees with a caliper of 12 inches or greater, measured at a point 4½ feet above the natural ground level, that is removed from the development site. For each such tree removed, mitigation shall be accomplished by planting ~~one~~ Class 1 or Class 2 trees from the qualified tree list located in the city design criteria manual.

Commented [BB10]: Only require mitigation for class 1 and class 2 trees.

- (bd) New trees used for mitigation purposes or for landscaping shall ~~have a caliper of at least three inches~~ be calculated in accordance with table XX, measured at a point 18 inches above the natural ground level.

Table XX. Caliper Inch Replacement of a Protected Tree

	On Site Replacement	Off Site Replacement	Minimum Caliper Per Tree in Inches
12" – 24"	100 percent	120 percent	4-inch
24.1" – 36"	100 percent	130 percent	6-inch
Greater than 36"	130 percent	140 percent	8-inch

- (ce) The landscaping plan shall clearly indicate which trees are being planted to replace trees identified as "to be removed" during development.

- (d) ~~Invasive tree species harm the native tree canopy, therefore incentives are available for elimination of species shown to be invasive on the qualified tree list. The city shall have the discretion to reduce tree replacement requirements based on the removal of invasive trees on-site. Reduction of caliper inch replacement, if granted, shall be calculated in accordance with table XY.~~

Commented [BB11]: Give credit for the removal of invasive (class 4) trees.

Table XY. Reduction of Caliper Inch Replacement for Removal of Invasive Trees

Caliper Inches of Invasive Trees Removed	Percent Reduction in Total Caliper Inches
50" to 150"	5 percent
150.1" to 300"	10 percent
300.1" to 500"	15 percent
Greater than 500"	20 percent

- (ef) If, due to the nature of a proposed development and unique characteristics of land, trees cannot be planted in a sufficient number to meet the requirements hereof, a developer may elect to provide for a compensating tree to be planted elsewhere within the city. ~~Compensating-Off site replacement~~ trees shall be placed within the city limits on public property, private commercial property, educational, or institutional property as ~~near as reasonably practicable to the development site, approved by the city planner~~ and may be accomplished by donating a tree in

Commented [BB12]: Allow trees to be planted offsite on other commercial properties.

kind, or by payment ~~to the city of such amounts as may be established from time to time by city council, based on the city's actual costs of acquisition in lieu at a rate of \$250.00 per caliper inch of required replacement tree(s). Compensating Off site replacement trees shall be planted by the applicant within the time periods required for replacement trees.~~

Commented [BB13]: Include a flat rate instead of the current system of getting bids.

- (f) To encourage maintenance of the suburban wooded character of the community, the city council may from time to time establish incentives to developments which retain more Class 1 or Class 2 category trees than is required by this subsection.
- (7) Tree protection. Property owners shall be required to ensure that each of the ~~replacement trees and~~ trees identified as "protected" on the site plan survives. If a ~~replacement tree or a~~ tree identified as "protected" fails to survive ~~a minimum of five years from the issuance of a certificate of occupancy at least~~, the property owner shall replace such tree, at its sole cost and expense, within 120 days from the date of notification by the city, with ~~a Class 1 or Class 2 the same tree type from the qualified tree list, which has a minimum caliper of three inches, measured 18 inches above natural ground level as prescribed in section I.2.f.(6)(b) of this appendix.~~
- g. One tree required for each lot developed for single-family residential use. Each lot developed for single-family residential use shall have one of the qualified trees located in the required front yard, before a certificate of occupancy may be issued. An exception may be made by the building official for substantially wooded lots, in instances where the building official determines there is not sufficient space in the front yard for proper growth, or where the planting of the tree would constitute a hazard to persons or property.
- h. Exception for lots used for single-family residential dwelling purposes. Notwithstanding any other provision of this subsection I to the contrary, nothing contained herein shall be deemed to prohibit the owner or occupant of a single-family residential dwelling from trimming, pruning, or removing any tree located on a lot owned or occupied by such person as a private residence, provided that at least one tree is retained in the front yard, per section 8.I.g.



FRIENDSWOOD PLANNING & ZONING COMMISSION

AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consideration and possible action regarding a recommendation to City Council for the requested zone classification change for approximately 3.65 acres out of 18.0137 acres located along FM 2351 (address not yet assigned), the 18.0137 acres more fully described in 4 tracts: 16.592 acres out of and part of Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, .0918 acres out of and part of Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, and .1119 acres of land out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas; and 1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, Film Code 688395, City of Friendswood, Harris County, Texas to change from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).

Action:

SUMMARY / ORIGINATING CAUSE

The applicant is proposing to change the zoning of approximately 3.65 acres from Community Shopping Center (CSC) to Industrial (I) so that the entirety of the referenced tracts will be zoned Industrial (I).

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Approval of the zone change will allow the property to developed in accordance with the Industrial (I) zoning regulations.

RECOMMENDATIONS

None at this time.

ATTACHMENTS

1. Rezoning Report Industry Park 2 July 2021
2. Zoning Map_Industry Park Phase II

Rezoning Report

July 2021

Project: Industry Park 2

Address: Zone change affecting approximately 3.65 acres out of 18.0137 acres located at FM 2351 (address not yet assigned); entirety of tracts would be zoned Industrial (I)

Legal: 16.592 acres out of a 19.4825 acre tract, being Tract B and C of Lot 63 of the Coffman and Hoidale Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas

.0918 acres out of a 19.4825 acre tract, being Tracts B and C, of Lot 63, of the Coffman and Hoidale Subdivision, a subdivision in Harris County, Texas out of the Perry and Austin League, Abstract 55, Harris County, Texas, as recorded in Volume 3, Page 6, of the Map Records of Harris County, Texas

.1119 acre tract of land located in the Perry and Austin League, Abstract 55, Harris County, Texas, being out of and part of Division B, of Lot 63 of the Hoidale-Coffman Addition Subdivision as recorded in Volume 3, Page 6, Harris County Map Records, .1119 acre tract being out of and a part of 19.4825 acre tract filed under Harris County Clerk file No. RP-2019-182701

1.218 acres known as Restricted Reserve I within the Partial Plat of Industry Park Friendswood, a subdivision of 9.7462 acres out of Lot 63 Divisions “B” & “C” and Lots 64 Division “D” of Hoidale-Coffman addition, Volume 3, Page 6, Harris County Map Records in the Perry and Austin League, Abstract 55, City of Friendswood, Harris County, Texas

Request: Change the zoning from change from Community Shopping Center (CSC) to Industrial (I)

Zoning Ordinance, Appendix C

I, Industrial District, general purpose and description. The I, Industrial District, is intended to provide for industrial uses and other uses not otherwise provided for in the other districts. The intensity of uses permitted in this district makes it necessary to separate it from all residential districts and most commercial districts wherever possible.

1. Area and height regulations. Area and height regulations in an I district are set forth in subsection Q.2 of this section, regulation matrix.
2. See section 8 for supplementary district regulations.
3. See section 9 for temporary certificate of zoning compliance that may be granted by the administrative official and specific use permits that may be recommended by the

planning and zoning commission within the I district under certain circumstances and conditions.

4. Permitted uses. Uses permitted in an I district are set forth in subsection P of this section, permitted use table.

Existing Use/Site Attributes:

The proposed project envelops three major sections of land which all front FM 2351 or Beamer Road.



City of Friendswood Aerial Map

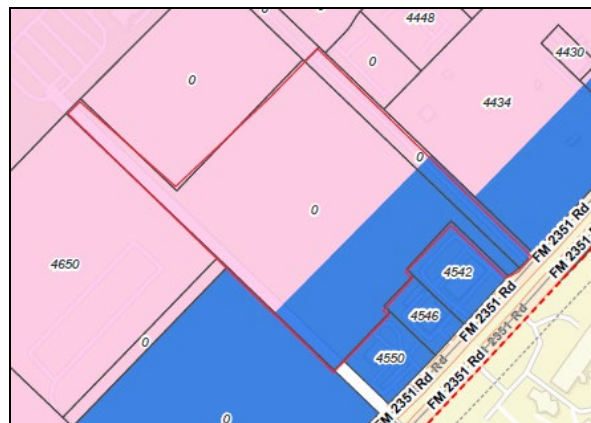
Zoning History:

The current zoning of the properties is Community Shopping Center (CSC) and Industrial (I).

Ordinance 84-15 changed the zoning of a 300ft x 660ft strip of the subject property (and the three tracts in front) from Industrial (I) to Community Shopping Center (CSC). In the early 80's several tracts were rezoned to provide a 300-ft commercial buffer along FM 2351.

Adjacent Zoning/Land Use:

The property is bordered by tracts that are zoned Community Shopping Center (CSC) and Industrial (I). Access to the development is from FM 2351 and Beamer Road.



City of Friendswood Zoning Map

Platting Analysis:

The subject property will be required to plat at the time of development. Platting can be accomplished in phases provided that each phase complies with both state law and City of Friendswood Ordinances. Plats will be reviewed by all applicable city departments and approved by the Planning and Zoning Commission.

Planning Analysis:

The Planning and Zoning Commission is working on some amendments to the Zoning Ordinance to accommodate Industrial development on this tract and others that are located in the panhandle area. The proximity to other existing developments that are not inside the City limits of Friendswood and the industrial nature of the panhandle area

Notice of the public hearings was published in the newspaper, a sign was posted on the property and property owner notices were mailed to property owners within 200 feet of the subject property.

Comprehensive Planning Analysis:

The 2008 Future Land Use Map identifies this property as “Special Interest Non-Residential with Industrial Emphasis.”

Infrastructure/Service Delivery Impacts**Storm Water Management and Floodplain Issues:**

The developer must provide on-site detention. Storm water detention requirements will be subject to the City of Friendswood Design Criteria Manual, as well as the Harris County Flood Control District design criteria.

Utilities:

The developer will be required to extend water and sewer infrastructure to the development. Electricity and natural gas services would be provided by Centerpoint.

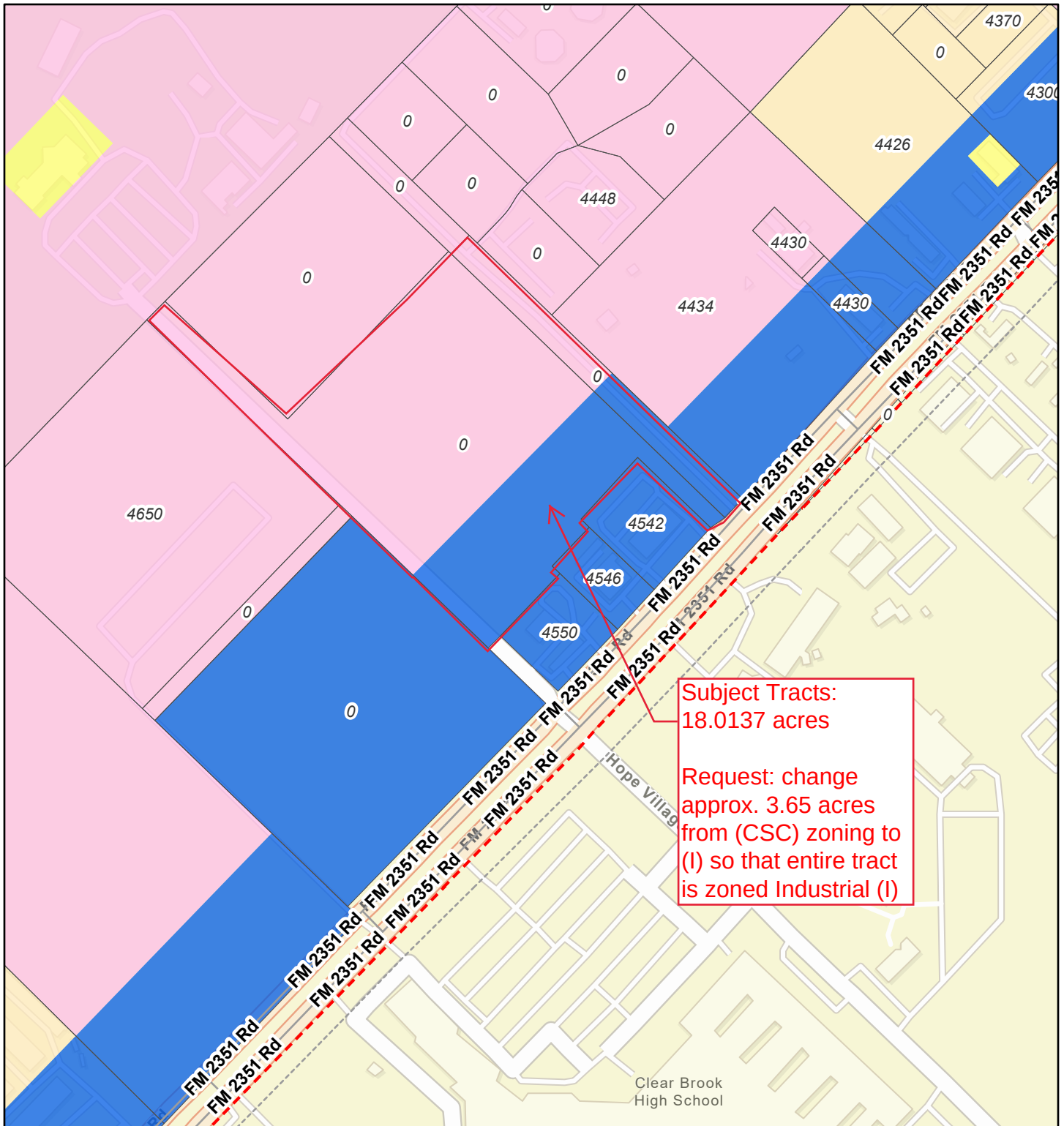
Access:

The property currently has access to FM 2351 and the private road to Timber Creek Golf Course. Development of the tract will require platting and compliance with the Subdivision Ordinance requirements.

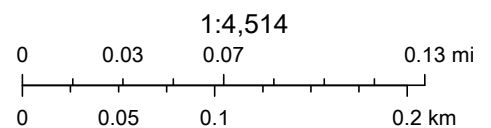
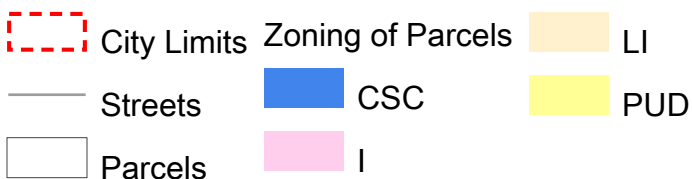
Park/Open Space:

Parkland Dedication does not apply to commercially zoned property.

ArcGIS Web Map



6/23/2021, 4:05:41 PM



Esri Community Maps Contributors, City of Houston, Brazoria County, HPB, Texas Parks & Wildlife, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

ArcGIS Web AppBuilder



FRIENDSWOOD PLANNING & ZONING COMMISSION

AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consideration and possible action regarding a recommendation to City Council for the requested zone classification change for 183.386 acres of land located along both sides of future Friendswood Lakes Boulevard/Friendswood Parkway, being 183.386 acres of land consisting of several tracts including 96.224 acres of land in the Mary Fabreau Survey, Abstract No. 69 and 86.442 acres consisting of Tract 1: 59.521 acres of land situated in the Mary Fabreau Survey, Abstract Number 69 and Tract 2: 26.921 acres of land situated in the I&GNRR Company Survey Number 5, Abstract Number 622, all located in Friendswood, Galveston County, Texas, to change from Avalon at Friendswood Planned Unit Development (PUD) 2019-37 (156.4717) and unassigned zoning (26.921 acres) to a revised Avalon at Friendswood Planned Unit Development (PUD) consisting of 183.386 acres.

Action:

SUMMARY / ORIGINATING CAUSE

This application is an amendment to the Avalon at Friendswood Planned Unit Development (PUD 2019-37) to incorporate the 26.921 acres of land that was deannexed by the City of League City. The total development will now be inside the City of Friendswood limits; however the homes that are built on the 26.921 acres will still be zoned to Clear Creek Independent School District.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Zoning needs to be assigned to the property since its annexation.

RECOMMENDATIONS

None at this time.

ATTACHMENTS

1. Rezoning Report Avalon PUD July 2021
2. Avalon at Friendswood PUD
3. Avalon at Friendswood Area Map
4. Avalon at Friendswood Conceptual Development Plan

Rezoning Report

July 2021

Project: Avalon at Friendswood (295 lot subdivision)

Address: 183.386 acres along Friendswood Lakes Blvd. between West Ranch and Friendswood Lakes Subdivisions

Legal: 183.386 acres located along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions, consisting of the following tracts:

96.944 acres in the Mary Fabreau Survey, Abstract No. 69, being all of a 97 acre tract of land described in a deed to Cypress Creek Holdings, Ltd., in Galveston County, Friendswood, Texas; and

59.5277 acres of land, more or less, being a portion of a called 194.21 acre tract described as Tract "A" as conveyed to Yellowstone Hill Country Ranching, LLC, Galveston County, Friendswood, Texas

26.921 acres in the I&GNRR Company Survey Number 5, Abstract Number 622, called Tract "B" as conveyed to Yellowstone Hill Country Ranching, LLC, Galveston County, Friendswood, Texas

Request: Change the zoning from Planned Unit Development (PUD) (2019-37) and unassigned zoning to a revised Planned Unit Development (PUD)

Proposed Use (Permitted Uses, Location, Size, etc.):

Zoning Ordinance

J. PUD, planned unit development, general purpose and description.

(1) General.

(a) This district allows for greater flexibility in the design and coordination of a single use or mixed uses than in other districts because a specific ordinance is written for every PUD. A PUD is a unique zoning classification, and shall be granted only when the planning and zoning commission and city council determine that the applicant has submitted a complete application containing sufficient detail. An applicant is not entitled to a PUD as a matter of right. The city reserves the right to establish conditions as determined appropriate.

(b) In no case shall a PUD be used for the sole purpose of circumventing the intent of city ordinances or plans. Unless standards for elements of site design are specifically described in a rezoning ordinance for a PUD, all design and development standards shall apply to all land development within a PUD district. The development must be

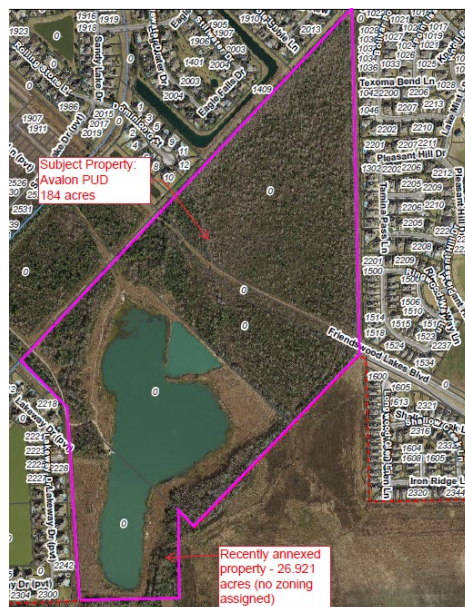
planned as an integral unit and must protect nearby landowners from adverse impact with appropriate buffering and landscaping. A site plan is required for all PUDs.

(c) The general purposes of all PUD districts are several-fold:

- 1. To encourage unified design and development of tracts of land incorporating a variety of uses, including, but not limited to, residential, commercial, office, and institutional;*
- 2. To accommodate innovation in development by modifying the city's land use and development regulations;*
- 3. To provide for and protect the public health, safety and general welfare of the city by assuring quality development in accordance with the city's comprehensive plan and other related goals;*
- 4. To minimize the negative impact of developments, especially those related to drainage, environment, traffic, and a public services and related facilities;*
- 5. To protect and enhance the aesthetic and visual qualities of development;*
- 6. To provide development of sites in a suitable fashion when such development is restricted by such factors as site location and shape;*
- 7. To promote economic development in accordance with the city's plans for such.*

Existing Use/Site Attributes:

Development of the first section of Avalon at Friendswood is underway. The property lies between West Ranch Subdivision and Friendswood Lakes Subdivision along the future route of Friendswood Lakes Boulevard.

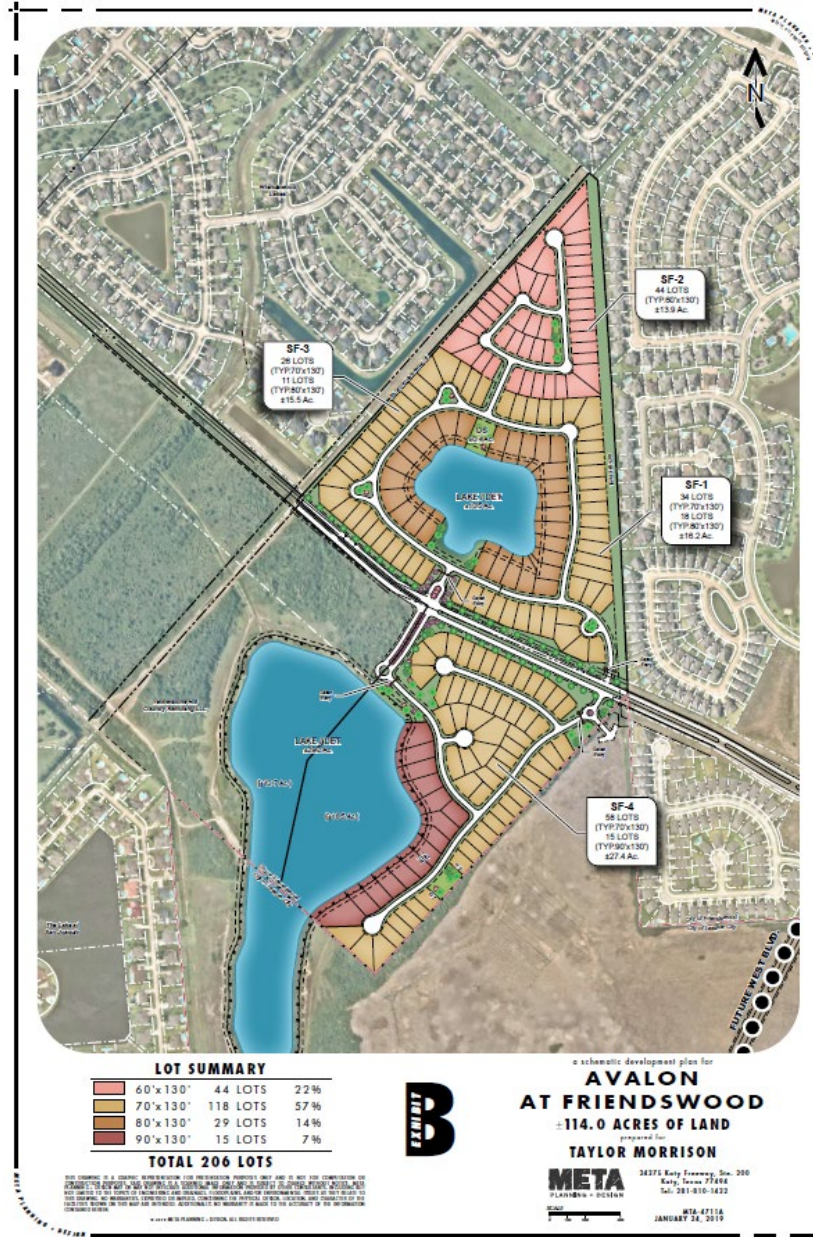


City of Friendswood GIS Aerial Map

Zoning History:

The current zoning of the property is Planned Unit Development (PUD) (2019-37). The existing PUD was approved November 4, 2019, for a total of 156 acres, consisting of a 97-acre tract, plus 59.5277 acres of an 87-acre tract. The original PUD consisted of 115 acres and was amended shortly thereafter to include additional property that the owner acquired.

Original PUD – 2019-11 (115 acres; 206 Lots)



LOT SUMMARY - FRIENDSWOOD

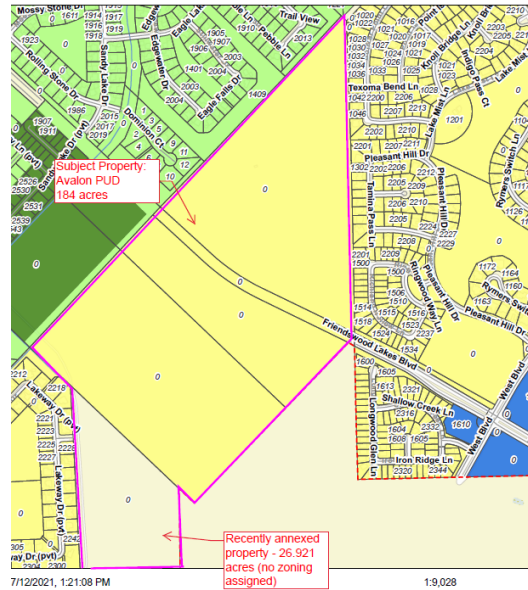
60'x130'	66 LOTS	25%
70'x130'	134 LOTS	52%
90'x130'	59 LOTS	23%

TOTAL 259 LOTS

AVALON AT FRIENDSWOOD
156.47 ACRES OF LAND
prepared for
TAYLOR MORRISON

META ENGINEERING
24375 Katy Freeway, Ste. 200
Katy, Texas 77454
Tel. 281-910-1822
Fax 281-910-1822
MIR-KT11A
2007.01.26.010

The property is bordered by tracts that are zoned Single Family Residential (SFR), Planned Unit Development (PUD) (Lakes at San Joaquin Subdivision and West Ranch) Multi-Family Residential Garden Home District (MFR-GHD), and the City of League City. Access to the development will be via the future Friendswood Lakes Boulevard. Coordination with Galveston County Engineering Division on that road extension will be required.



City of Friendswood Zoning Map

Platting Analysis:

The developer has started the platting process with Section 1. Avalon at Friendswood plats will not be recorded until Friendswood Lakes Boulevard is substantially complete and meets the access requirements per the Subdivision Ordinance and International Fire Code. Applicant will be required to submit all plats to Galveston County Consolidated Drainage District (GCCDD).

Planning Analysis:

The proposed amendment would add 36 residential lots to the development for a total of 295 lots ranging from sixty (60) to ninety (90) feet wide.

Notice of the public hearings was published in the newspaper, a sign was posted on the property and property owner notices were mailed to property owners within 200 feet of the subject property.

Comprehensive Planning Analysis:

The additional 26.921 acres is not identified on the 2008 Future Land Use Map because the property was just annexed in 2021.

Infrastructure/Service Delivery Impacts

Storm Water Management and Floodplain Issues:

The property is not within any high-risk flood zone areas. The developer must provide onsite detention. Storm water detention requirements will be subject to the City of Friendswood Design Criteria Manual, as well as the Galveston County Consolidated Drainage District design criteria.

Utilities:

The developer will be required to extend water and sewer infrastructure to the development.

Access:

The property will have direct access to Friendswood Lakes Boulevard, which is nearing completion. Development of the residential lots will be contingent upon the construction of Friendswood Lakes Blvd. The developer will be responsible for coordinating with Galveston County regarding completion of Friendswood Lakes Boulevard and access to the subject property for installation of water, sewer and drainage infrastructure. Avalon at Friendswood plats will not be recorded until Friendswood Lakes Boulevard is substantially complete and meets the access requirements per the City of Friendswood Subdivision Ordinance and the International Fire Code.

An emergency access only gate will be required between the proposed Avalon at Friendswood development and Lakes at San Joaquin. Both subdivisions are gated communities with private streets constructed around large detention ponds. For life safety reasons, the City is requiring the connection to be made between the subdivisions. A stub out street was required when the Lakes at San Joaquin was constructed. The HOA's are working on a private agreement for installation and maintenance of the gate.

Park/Open Space:

Each residential lot will be required to pay \$600 for Parkland Dedication.

**AVALON AT FRIENDSWOOD
PLANNED UNIT DEVELOPMENT**

AMENDMENT NO. 1

± 184.0 Acres

**Prepared For:
Taylor Morrison**

PREPARED BY:



24275 Katy Freeway, Suite 200
Katy, TX 77494

APPROVED: May 2019 (Ordinance 2019-11)
AMENDED: August 2019 (Ordinance 2019-37)
AMENDED: July 2021

TABLE OF CONTENTS

- I. Introduction**
 - a. Purpose
 - b. Location and Existing Conditions
- II. Project Description**
 - a. Character of Community
 - b. Land Use
 - c. Permitted Uses
- III. Development Guidelines**
 - a. Residential Development Regulations
 - b. Signage
 - c. Amenities/Open Space
 - d. Phasing/Development Schedule
- IV. Exhibits**
 - a. Area Map
 - b. Conceptual Development Plan

I. INTRODUCTION

Purpose

This application has been prepared on behalf of Taylor Morrison, pursuant to the City of Friendswood's Ordinances related to a Planned Unit Development (PUD). The purpose of the PUD District is to encourage flexibility in the development of land, promote the most appropriate uses, and encourage a cohesive residential development. This PUD will establish development regulations and standards that will ensure quality development, consistent with the intent of the Friendswood Subdivision and Zoning Ordinances.

Location and Existing Conditions

The Avalon at Friendswood PUD is located on a $\pm$ 184 Ac. tract located west of West Blvd, situated between the West Ranch subdivision to the east and the Friendswood Lakes subdivision to the west. The subject tract is bisected thru the middle by Friendswood Lakes Blvd and a portion lies along the city limit line of the City of Friendswood and City of League City. An existing lake sits on the southern side of the tract, south of Friendswood Lakes Blvd and the remainder of the tract is currently undeveloped. See Exhibit A – Area Map.

All land immediately surrounding the subject tract is either residential or undeveloped. Therefore, the proposed development is compatible with the surrounding land uses. Furthermore, existing easements around the tract act as natural buffers with adjoining properties. As a result of these various factors, the proposed Avalon at Friendswood development will be a suitable use for the tract.

II. PROJECT DESCRIPTION

Character of Community

Avalon at Friendswood will be a gated, residential neighborhood with both residential and recreational character. The PUD will create flexibility in the design while still maintaining a high quality and cohesive community. A high level of architectural character and design aesthetics will be utilized throughout the development. These elements ensure the project's strong, cohesive character and sense of community. The project will incorporate lake areas, green spaces and walkways that create a beautiful community with lake views throughout.

Land Use

Avalon at Friendswood will be composed entirely of residential lots, landscaped open spaces and lake/ detention areas. The conceptual development plan (Exhibit B) illustrates the proposed mix of lot sizes and general site layout. The project includes a circulation of local residential streets, with a single thoroughfare, Friendswood Lakes Blvd, running east and west thru the center of the tract. A lake/detention area will be included on both the north and south sides of the property, on either side of Friendswood Lakes Blvd. The exact location of all streets and lots as shown on Exhibit B is preliminary and subject to change as development proceeds. Furthermore, the number of lots and lot sizes may be adjusted based on market demand at the time of development. A change of lots and/or lot size of up to ten percent (10%) will be permitted with staff approval. Any change over ten percent (10%) will require City Council approval. However, any modifications to the design will be consistent with the design standards and parameters specified within this document.

Permitted Uses

All uses listed under Single Family Residential (SFR) in the City of Friendswood code of ordinances are permitted within this tract.

III. DEVELOPMENT GUIDELINES

Unless otherwise outlined in this document, all City of Friendswood Subdivision and Zoning regulations in place at the time this document is adopted shall apply to the PUD. Any change to the below guidelines and/or other applicable regulations shall require a variance or an amendment to the PUD.

Residential Development Regulations

The following regulations shall apply to all single-family development:

1) Lot Regulations - 1.

	Units Per Acre	Lot Area (Minimum Sq. Ft.)	Minimum Lot Width	Setbacks				Height Maximum (Ft)	Parking Requirements (per Unit)		Maximum Lot Coverage
				Front (Ft)	Rear (Ft)	Interior Side (Ft)	Corner Side (Ft)				
Single Family Residential	4.5	7,200	60	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A		65%
Single Family Residential	4	8,400	70	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A		65%
Single Family Residential	3.5	9,600	80	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A		65%
Single Family Residential	3	10,800	90	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A		65%

A - Parking is required in accordance with the Parking Group Table in the Design Criteria Manual

2) Lake Lots

1. A drainage maintenance easement will be established along the rear of the lots for the required maintenance berm of the pond. Buildings and other structures, plantings, flower beds and other landscaping are not permitted in drainage easements. Fences are allowed in the easement so long as gates are installed in the side fences that extend across the easement down to the water.

3) Cul de Sacs and knuckles

1. Cul de sacs must have a minimum of a sixty (60) foot right of way radius.
2. Cul de sacs must not exceed 900 feet when measured along the centerline from the nearest intersection. However, the following condition applies:
 - a. Adequate water pressure for potable water needs and firefighting capabilities shall be provided

- 4) Points of Access
 1. Any development over seventy-five (75) lots must have two points of access.
 - a. A second point of access may be provided thru the following methods
 - i. Public or private right of way
 - ii. Boulevard entrance
 - iii. An access easement with a crash gate and connecting to public right of way with approval from the Fire Marshal.
- 5) Gated Development
 1. A gated community is permitted, subject to all applicable standards. In a gated community, all the streets will be private.

Signage

Signage within the PUD will conform to the City of Friendswood Sign Ordinance with the following exceptions:

- 1) Temporary signs used during construction of the development recognizing builders, architects, engineers, leasing representatives, lenders, etc. must all be tastefully displayed on 4' x 8' vertical signs. All temporary signs must be removed when the principle building on the applicable building site is occupied. Additional temporary builder signs directing potential home buyers to various neighborhood/model homes may be installed behind the public right of way. These temporary signs will remain until the section is 80% complete.
- 2) Neighborhood monumentation
 - a. Neighborhood monumentation is permitted within the parameters set forth in the City of Friendswood signage ordinance.

Amenities

Lakes and Open space areas account for approximately 40% of the gross acreage of Avalon at Friendswood. The open space calculation includes all parks, landscape reserves, landscaped right of ways, pipeline easements, drainage easements, trails, tot lots, lakes, detention and drainage area, etc. The proposed open space amenities and the acreages are as follows:

Open Space Amenity	Acreage*
Lakes/Detention	+/- 49.8
Easements	+/- 12.2
Landscape/Open Space	+/- 10.9
TOTAL	+/- 72.9

*All acreages are preliminary and subject to changes as development occurs

In addition to the recreation and open space areas listed above, the development will comply with all applicable City of Friendswood Parkland Dedication requirements and/or Parkland Fees.

Phasing and Development

The development is intended to be constructed in 4 phases. The initial phase will consist of approximately 105 lots (Section 1) and will be located south of Friendswood Lakes Blvd. Phase two will include approximately 65-70 lots (Section 2) and will be made up of the remainder of the lots south of Friendswood Lakes Blvd. Phase 3 will include approximately 100-105 lots located around the small lake north of Friendswood Lakes Blvd. Phase 4 will consist of the remaining lots on the northern most portion of the property. It will be made up of approximately 20-25 lots. It is proposed that there will be approximately 295 total lots within the 4 phases. This proposed phasing is based on preliminary projections, but the final timing of development as well as the number and location of phases may be modified based on market conditions.

In addition, all phasing will be coordinated with the construction of Friendswood Lakes Blvd. No plat recordation will be permitted until substantial completion of Friendswood Lakes Blvd. up to the entrance of the Avalon at Friendswood development. All platting will be in compliance with the access requirements of the Subdivision Ordinance and International Fire Code.

IV. EXHIBITS

Exhibit A – Area Map

Exhibit B – Conceptual Development Plan



EXHIBIT
A

an exhibit for
AVALON
AT FRIENDSWOOD
±184.0 ACRES OF LAND
prepared for
TAYLOR MORRISON

META
PLANNING + DESIGN

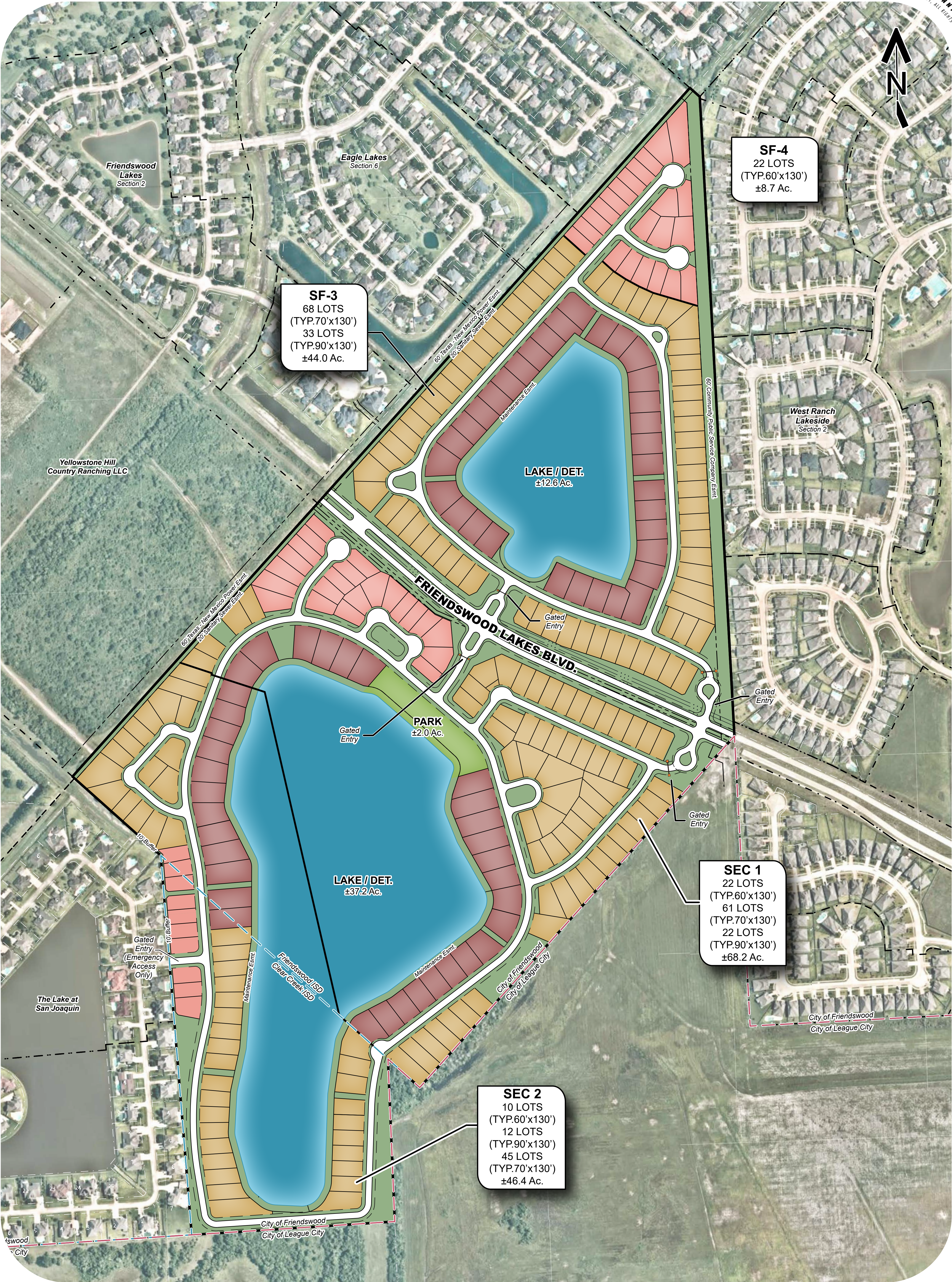
24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422

SCALE
0 100 200 400

MTA-4711A
MAY 26, 2021

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LOT SUMMARY

60'x130'	54 LOTS	19%
70'x130'	174 LOTS	59%
90'x130'	67 LOTS	22%

TOTAL 295 LOTS

a schematic development plan for

AVALON AT FRIENDSWOOD

±184.0 ACRES OF LAND

prepared for

TAYLOR MORRISON



24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422

SCALE
0 100 200 400

MTA-4711A
MAY 29, 2021

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FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consideration and possible action regarding a request to extend the 30-day period for the processing of the preliminary plat of Industry Park Friendswood Phase II per LGC Chapter 212 Section 212.009.

Action:

SUMMARY / ORIGINATING CAUSE

There are many corrections remaining on this plat (see attached correction notice) for Planning, Public Works and Engineering. Changes in Local Government Code Chapter 212 allow an applicant to submit a written request for a 30-day extension; however, the request must be approved by the Commission. The applicant did not submit a written request. Staff's request (8/3/2021) for the written request is attached.

Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL.

(a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

(b) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the plan or plat within 30 days after the date the plan or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

(b-1) Notwithstanding Subsection (a) or (b), if a groundwater availability certification is required under Section 212.0101, the 30-day period described by those subsections begins on the date the applicant submits the groundwater availability certification to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable.

(b-2) Notwithstanding Subsection (a) or (b), the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(2) the municipal authority or governing body, as applicable, approves the extension request.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Action is required by the Commission whether that is approval, approved with conditions, or disapproved with reasons.

RECOMMENDATIONS

None at this time.

ATTACHMENTS

1. RE_ RE_ Industry Park Ph II - plat comments
2. Correction Notice_Industry Park Ph II Prel Plat

From: [Becky Bennett](#)
To: [Stephanie Canady](#)
Cc: [Daniel Rucker](#)
Subject: RE: [EXTERNAL]RE: Industry Park Ph II - plat comments
Date: Tuesday, August 3, 2021 8:00:00 AM
Attachments: [image001.png](#)

Can you submit a formal letter requesting the extension? I will need to add it to the Commission's packet. Thank you.

Becky Bennett
Development Coordinator
Community Development – Planning Dept.
City of Friendswood
910 S. Friendswood Dr.
Friendswood, TX 77546
281-996-3290

From: Stephanie Canady <scanady@cbpd.net>
Sent: Monday, August 2, 2021 5:18 PM
To: Becky Bennett <bbennett@friendswood.com>
Cc: Daniel Rucker <drucker@cbpd.net>
Subject: RE: [EXTERNAL]RE: Industry Park Ph II - plat comments

Thank you for the information. We would like to request a 30-day extension for this plat. Please advise if any additional forms need to be submitted.

Thanks,

Stephanie Canady, P.E.
Project Manager

Coastal Bend Engineering
4558 FM 2351
Friendswood, TX 77546
Phone: 281-648-1268
Fax: 281-648-0832
Mobile: 713-884-5228
Email: scanady@cbpd.net

From: Becky Bennett [mailto:bbennett@friendswood.com]

Sent: Monday, August 2, 2021 4:29 PM
To: Stephanie Canady
Cc: Daniel Rucker
Subject: RE: [EXTERNAL]RE: Industry Park Ph II - plat comments

Stephanie,

The state has kinda tied our hands on plats but you can request a 30-day extension if you think that will be enough time. The extension request would be added to the agenda and, if approved, the plat could then be tabled. Whether you resubmit without the letters (resulting in a denial or conditional approval) or ask for an extension, it will end up requiring two Commission meetings.

Also, I verified with the Fire Marshal that the radius is 150-feet.

Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL.

(a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section [212.0091](#).

(b) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the plan or plat within 30 days after the date the plan or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period and in accordance with Section [212.0091](#).

(b-1) Notwithstanding Subsection (a) or (b), if a groundwater availability certification is required under Section [212.0101](#), the 30-day period described by those subsections begins on the date the applicant submits the groundwater availability certification to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable.

(b-2) Notwithstanding Subsection (a) or (b), **the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:**

(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and
(2) the municipal authority or governing body, as applicable, approves the extension request.



Becky Bennett
Development Coordinator

281-996-3290
City of Friendswood – Planning Department
910 S. Friendswood Dr | Friendswood, Texas 77546

From: Stephanie Canady <scanady@cbpd.net>
Sent: Monday, August 2, 2021 3:37 PM
To: Becky Bennett <bbennett@friendswood.com>
Cc: Daniel Rucker <drucker@cbpd.net>
Subject: [EXTERNAL]RE: Industry Park Ph II - plat comments

Good afternoon Becky,

I'm sorry, it was my impression that the deadline was 9am and that we were going to miss it because it is not possible to get utility letters that quickly. Is there no room in the process that it can just be tabled until the next deadline since we're waiting on utility companies? Please advise.

Thank you,

Stephanie Canady, P.E.
Project Manager

Coastal Bend Engineering
4558 FM 2351
Friendswood, TX 77546
Phone: 281-648-1268
Fax: 281-648-0832
Mobile: 713-884-5228
Email: scanady@cbpd.net

From: Becky Bennett [mailto:bbennett@friendswood.com]
Sent: Monday, August 2, 2021 3:28 PM

To: Stephanie Canady
Subject: FW: Industry Park Ph II - plat comments

Good Afternoon Stephanie,

I just wanted to follow up on the Industry Park Phase II plat submittal. If the plat cannot be resubmitted today then you may withdraw and submit a new application at a later date. The alternative is we will have to take the current plat to the Commission with outstanding comments. Thank you.



Becky Bennett
Development Coordinator

281-996-3290
City of Friendswood – Planning Department
910 S. Friendswood Dr, Friendswood, Texas 77546

From: Becky Bennett
Sent: Monday, July 26, 2021 8:44 AM
To: Stephanie Canady <scanady@cbpd.net>
Subject: Industry Park Ph II - plat comments

Good Morning,

Staff has reviewed the plat of Industry Park Phase II and the redlined plans are available for pickup. Please submit corrected documents no later than **Monday, August 2nd at 9:00am.**

Any outstanding or uncorrected items will cause the plat to either be denied or conditionally approved by the Commission. State law requires conditionally approved plats to be reconsidered on a later agenda, once the items have been corrected. Please contact staff if you have any questions. Thank you.



Becky Bennett
Development Coordinator

281-996-3290
City of Friendswood – Planning Department
910 S. Friendswood Dr, Friendswood, Texas 77546



City of Friendswood

Corrections Notice

(Plats, Site Plans & Construction Plans)

Permit #: PLAT-2021-0035
Project: Industry Park Friendswood Phase II
Preliminary Plat
Date: July 26, 2021
Status: Corrections Needed

- Comments by each department should be addressed. Refer to the redlined plans and the written comments to ensure that all issues are addressed. In addition to the revised plans, a memo with written responses is recommended.
- Once all comments have been addressed, **return the original set of plans**, revised set of plans and any additional documents to the City of Friendswood Community Development Department, attn: Becky Bennett, Development Coordinator.

Please submit (2) two copies of the corrected plans.

- The review period for resubmitted plans is 7-10 business days. The applicant will be notified at the end of that period whether the plans are approved or if further explanation is needed.

If you have any questions about this process, you may call me at 281-996-3290 or e-mail bbennett@friendswood.com.

Thank You,

Becky Bennett
Development Coordinator

CORRECTION ITEMS

Planning Corrections:

- 1) Add note below regulation matrix “Pending zone change approval”
- 2) Add contours at one-half foot intervals
- 3) Draw and label Reserve H and Reserve I (recording info will change)
- 4) Correct build line from 25-feet to 30-feet (cannot be within access esmt)
- 5) Clarify access easement proposed, existing, widths, etc. 40’ public ROW cannot be abandoned via plat (Texaco)
- 6) Portion of 60-foot access easement being relocated – specify it is being replaced rather than abandoned
- 7) Regarding note 8 and easement #3 – No objection letters required from dry utility companies
- 8) Notes 16 and 17 are repetitive
- 9) Include legal description for remaining 9.2948 acres in title block
- 10) Provide Harris County tax certificates (will defer to final plat)
- 11) Provide tax certificates for 9.9 acre tract (will defer to final plat)
- 12) Preliminary drainage and utility plans are required with preliminary plat submittal
- 13) Provide letters of no objection for utility easements
- 14) Title report to include all area being platted
- 15) Provide documents for easements/encumbrances 1, 2, 4, and 8
- 16) Provide exhibits for deed restrictions
- 17) See comments on deed restrictions

Public Works Corrections:

1. Need confirm the proposed Hope Village Rd. right of way alignment, and its associated with the proposed public or private water line utilities
2. Provide preliminary utility

Engineering Corrections:

Provide preliminary drainage plan.



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consideration and possible action regarding the Preliminary Plat of Industry Park Friendswood Phase II a subdivision of 15.0127 acres, 5.7179 acres of land being a replat of Reserve A of the BSR Subdivision No. 1 out of Lot 63 Divisions "B" & "C" of Hoidale-Coffman Addition, Volume 3 , Page 6 Harris County Map Records in the Perry and Austin League, Abstract 55, City of Friendswood, Harris County, Texas (missing remainder of legal description).

Action:

SUMMARY / ORIGINATING CAUSE

The proposed plat is to create two commercial reserves consisting of 15.0127 acres to allow future industrial development.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Plat approval is required to proceed with development.

RECOMMENDATIONS

The plans were reviewed by staff in the following departments: Planning, Public Works, Engineering, Fire Marshal, and Police Department. Many comments remain from the Planning, Public Works and Engineering departments. See attached Compliance Memo.

ATTACHMENTS

1. Compliance Memo_Industry Park Phase II
2. Prel Plat_Industry Park Ph II

Memo

To: Planning and Zoning Commission

From: Becky Bennett, Development Coordinator

Date: August 9, 2021

Re: Preliminary Plat of Industry Park Friendswood Phase II

Project Description: The proposed plat is to create

The plans were reviewed by staff in the following departments: Planning, Public Works, Engineering, Fire Marshal, and Police Department.

Approval Options:

- ☐ Approval
 - Standards for approval. The Commission shall approve a plat if:
 - (1) It conforms to the general plan of the City of Friendswood and the current and future streets, alleys, parks, playgrounds, and public utility facilities;
 - (2) It conforms to the general plans for extension of roads, streets, and public highways, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and
 - (3) It conforms to the Subdivision Ordinance and Local Government Code Chapter 212.

- ☐ Conditional Approval with the following conditions*

- ☐ Disapproval due to the following reasons*

*Each condition or reason specified must be directly related to the requirements under the subdivision platting law and include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable, and conditions or reasons may not be arbitrary.

Outstanding Conditions/Reasons*: Requires reconsideration by the Commission.

Planning Corrections:

- 1) Add note below regulation matrix "Pending zone change approval"
- 2) Add contours at one-half foot intervals
- 3) Draw and label Reserve H and Reserve I (recording info will change)
- 4) Correct build line from 25-feet to 30-feet (cannot be within access esmt)
- 5) Clarify access easement proposed, existing, widths, etc. 40' public ROW cannot be abandoned via plat (Texaco)

- 6) Portion of 60-foot access easement being relocated – specify it is being replaced rather than abandoned
- 7) Regarding note 8 and easement #3 – No objection letters required from dry utility companies
- 8) Notes 16 and 17 are repetitive
- 9) Include legal description for remaining 9.2948 acres in title block
- 10) Provide Harris County tax certificates (will defer to final plat)
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- 12) Preliminary drainage and utility plans are required with preliminary plat submittal
- 13) Provide letters of no objection for utility easements
- 14) Title report to include all area being platted
- 15) Provide documents for easements/encumbrances 1, 2, 4, and 8
- 16) Provide exhibits for deed restrictions
- 17) See comments on deed restrictions

Public Works Corrections:

1. Need confirm the proposed Hope Village Rd. right of way alignment, and its associated with the proposed public or private water line utilities
2. Provide preliminary utility

Engineering Corrections:

Provide preliminary drainage plan.

Staff Comments: *Reconsideration by the Commission not required.*

None.



My Commission Expires:

Scott D. Ellis, R.P.L.S., Texas Registration No. 6261



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Consideration and possible action regarding a recommendation to City Council to amend Resolution 2020-17 Planning and Zoning Rules of Procedure.

Action:

SUMMARY / ORIGINATING CAUSE

City Council recently updated their Rules of Procedure, so we took the opportunity to do the same in order to keep P&Z's rules similar to Council per Section 2-71. Changes to the public comment and public hearing processes are the most significant changes.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

ATTACHMENTS

1. DRAFT PZ Rules of Procedure 2021 08-09-2021
2. R2020-17 PZ Rules and Procedures Resolution (current)

FRIENDSWOOD PLANNING AND ZONING COMMISSION RULES OF PROCEDURE

1. AUTHORITY

- 1.1 **Code.** Pursuant to the provisions of Section 2-71 of the Friendswood Code of Ordinances, the Planning and Zoning Commission enacts these rules of procedure for all meetings of the Commission of the City of Friendswood, Texas.
- 1.2 During any regular or special commission meeting, a reasonable opportunity shall be given to the citizens of the City to be heard, including, but not limited to those matters under consideration. The rules of procedure are enacted as guidelines to be followed by all persons in the Council Chamber, including City administrative staff, news media and visitors.

2. GENERAL RULES

- 2.1 **Meetings to be Public.** All official meetings of the Commission shall be open to the public pursuant to the requirements of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.
- 2.2 **Quorum.** Four or more members of the Commission is considered a majority of the members of the Commission and shall constitute a quorum for the transaction of business.
- 2.3 **Compelling Attendance.** No member shall be excused from attendance at a Commission meeting except for good valid reasons.
- 2.4 **Minutes of Meetings.** An account of all proceedings of the Commission shall be kept by the Secretary and shall be entered in a book constituting the official record of the Commission.
- 2.5 **Questions to Contain One Subject:** All questions submitted for a vote shall contain only one subject.
- 2.6 **Right of floor.** Any member desiring to speak shall be recognized by the Presiding Officer, and shall confine his/her remarks to the subject under consideration or to be considered and will not be interrupted.
- 2.7 **City Planner.** The City Planner shall attend all meetings of the Commission, unless excused. He/she may make recommendations to the Commission and shall have the right to take part in all discussion of the Commission but shall have no vote.
- 2.8 **City Attorney.** The City Attorney shall attend all meetings of the Commission unless excused and shall, upon request, given an opinion, either written or oral, on questions of law. The City Attorney shall act as the Commission's parliamentarian.
- 2.9 **Secretary.** The Secretary shall attend all meetings of the Commission unless excused, and shall act as the reading and recording secretary of the Commission, shall keep the official minutes and perform such other duties as may be requested and assigned by the Chairperson and/or the City Planner. The Secretary shall keep a copy of these rules available for reference.
- 2.10 **Sergeant at Arms.** The highest ranking police officer of the Friendswood Police Department in attendance at any meeting of the Commission, shall be, and is

hereby, designated and appointed as the Sergeant at Arms for such meeting.

2.11 Suspension of Rules. Any provision of these rules not governed by the City Charter or Code may be temporarily suspended by the affirmative vote of a four or more members of the Commission present.

2.12 Amendment of Rules. These rules may be amended, or new rules adopted by the recommendation of the Commission and subject to approval by Council with an affirmative vote of four or more members of the City Council.

3. TYPES OF MEETINGS

3.1 Regular Meetings. Per Section 2-71 of the Friendswood Code of Ordinances, the Commission shall hold regular and special meetings open to the public. Effective 2021, the Commission shall meet in the Council Chambers of the City Hall on the second and fourth Thursday of each month, commencing at 7:00 o'clock p.m., provided one or more complete applications have been submitted requiring their consideration. In the event Thursday falls on a holiday, the meeting for that day shall be rescheduled as determined by the Commission. Any meeting of the Commission may be recessed from hour to hour for a period of time not to exceed 24 hours, by a majority vote of the members present at such meeting, and such recessed meeting shall be held without further notice.

3.2 Special Meetings. Special meetings of the Commission shall be called at the request of the Chairperson, the City Planner, or four (4) members of the Commission. In the event of a special called meeting, the City Planner shall notify each member of the Commission. Special meetings may be held at City Hall, or another location.

4. PRESIDING OFFICER AND DUTIES

4.1 Presiding Officer. The Chairperson, or in his/her absence, the Vice Chairperson, shall preside as chairperson, or presiding officer at all meetings of the Commission. In the absence of both the Chairperson and Vice Chairperson, and with a quorum being present, any commissioner may be appointed by the Chairperson or a majority of the Commission to preside; i.e. four or more members of the Commission.

4.2 Call to Order. The meetings of the Commission shall be called to order by the Chairperson, or in his/her absence the Vice Chairperson, and in the absence of both the Chairperson and the Vice Chairperson, the meeting shall be called to order by the presiding officer.

4.3 Preservation of Order. The presiding officers shall (i) preserve order and decorum, (ii) prevent insulting references to Commissioners, impugning of other member's motives, and repetitious comments and (iii) confine remarks to the question under discussion.

4.4 Substitution for Chair. The Chairperson may call upon the Vice Chairperson, or if he/she is unavailable, then any other member to take his/her place, for the portion of a meeting, such substitution is not to continue beyond

adjournment.

- 4.5 Points of Order.** The presiding officer shall determine all points of order, subject to the right of any member to appeal to the Commission. If any appeal is taken, then questions shall be, "Shall the decision of the presiding officer be sustained? If a four or more members present vote "No", the ruling of the Chairperson is overruled; otherwise it is sustained.
- 4.6 Questions to be stated.** The presiding officer shall state all questions submitted for a vote and announce the results. A roll call shall be taken upon the request of any member.
- 4.7 Call for Recess.** Any meeting of the Commission may be recessed from hour to hour for a period of time not to exceed 24 hours, by an affirmative vote of four or more members of the Commission present at such meeting, and such recessed meeting shall be held without further posted notice amended.
- 4.8 Votes.** Commissioners shall clearly indicate their vote on each matter submitted to a vote.
- a) The Chairperson may make or second motions, and shall vote on all matters before the Commission, unless otherwise prohibited by law.
 - b) Neither the Chairperson, the Vice-Chairperson, nor any Commissioner appointed to preside, shall have any power to either recess a meeting or adjourn a meeting, or prevent the Commission from considering an agenda item or lay the same out for consideration except in strict accordance with Texas Open Meetings Act, the City Charter, and as enacted herein. If not withstanding the positive provisions of this rule, the presiding officer whether Chairperson, Vice-Chairperson, or Commissioner presiding, shall attempt to prevent the Commission from taking any action on any agenda item brought before it, any Commissioner present may call for a vote of the Commission to consider the matter.
 - c) Except as otherwise provided by law or these rules, all action required of the Commission shall be made by a majority; i.e. four or more of the members of the Commission present at the meeting. Excluding conflicts of interest as provided by state law or by City Charter, all Commissioners present at each meeting must vote on each subject presented for Commission vote. All votes must be taken in accordance with Section 3.10 of the Charter.
 - d) Any member of the Commission, including the Chairperson, who has a conflict of interest as defined by Chapter 171, Texas Local Government Code, must file the appropriate documentation with the City Planner and abstain from discussion and consideration of the item in compliance with state law.

5. CODE OF CONDUCT

5.1 Commissioners

- a) During Commission meetings, Commissioners shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to observe the rules of the Commission.
- b) A Commissioner, once recognized, shall not be interrupted while speaking unless a point of order is raised by another member or the parliamentarian, or

unless the speaker chooses to yield to questions from another member. If a Commissioner is called to order while he/she is speaking, he/she shall cease speaking immediately until the question of order is determined. If ruled to be in order, he/she shall be permitted to proceed.

- c) Any member of the Commission; including the Chairperson, who fails to observe decorous and orderly behavior during a meeting or who disturbs a meeting of the Commission with such disorderly conduct, is subject to being expelled from such meeting upon motion passed by two-thirds ($\frac{2}{3}$) vote of the Commission present at this meeting.
- d) Any member of the Commission; including the Chairperson, reprimanded by motion or expelled from a meeting by motion who thereafter commits another breach of decorous and disorderly behavior during a subsequent meeting and again disturbs any meeting of the Commission by such disorderly conduct shall be subject to the same power of the Commission to reprimand him/her, expel him/her from the meeting, or subject such member to complaint, investigation, and conviction of official misconduct.

5.2 Administrative Staff

- a) Members of the Administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Commission, and shall have no voice unless and until recognized by the Chairperson, or presiding officer.
- b) While the presiding officer shall have the authority to preserve decorum in meetings as far as staff members and City employees are concerned, the City Planner also shall be responsible for the orderly conduct and decorum of all City employees under his/her direction and control.
- c) All remarks and questions addressed to the Commission shall be addressed to the Commission as a whole and not to any individual member thereof.
- d) No staff member, other than a staff member having the floor, shall enter into a discussion either directly or indirectly without permission of the Chairperson, or presiding officer.

5.3 Citizens

- a) Citizens are welcome and invited to attend all meetings of the Commission and will be admitted to the Council Chamber or other room in which the meeting is held, up to the fire safety capacity of the room and/or to protect the health, safety and welfare of the public.
- b) Citizens will refrain from private conversation in the Chamber, or other room, while the Commission meeting is in session.
- c) Citizens attending Commission meetings shall observe the same rules of propriety, decorum, and good conduct applicable to the administrative staff. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the Commission or while attending the Commission meeting shall be removed from the room if the Sergeant at Arms is so directed by the Chairperson or presiding officer, and such person shall be barred from further audience before the Commission during that session of the Commission.

- d) Unauthorized remarks from the audience, stamping of feet, applauding, whistles, yells, and similar demonstration shall not be permitted and the presiding officer shall direct the Sergeant at Arms to remove such offenders from the room. In case the presiding officer shall fail to act, any member of the Commission may move to require him/her to act to enforce the rules, and the affirmative vote of four or more members of the Commission present shall require the presiding officer to act.
- e) No placards, banners, exhibits of any kind will be permitted in the Council Chamber except exhibits, displays, and visual aids used in connection with presentations to the Commission, provided that such exhibits, displays and visual aids do not disrupt the meeting.

5.4 In General

- a) Rules. Robert's Rules of Order (latest revision) shall govern in all cases, unless Robert's Rules of Order are in conflict with the City Charter, City ordinances, or rules of procedure hereby adopted, provided that the "Rules Governing Debate, Rules Against the Chair's Participation in Debates" shall not be applicable and the Chairperson, or presiding officer, shall have the right to participate in debate of issues pending before the Commission.
 - i. Any one or all of these rules of procedure may be suspended in order to allow a particular consideration of a matter, provided that it does not violate the state law or home rule charter, and provided that not less than two-thirds Commissioners vote in favor of such suspension. Where any rule embodies a provision of state law, identically or in substance, such rule may not be suspended.
- b) **Recognition by presiding officer.** No person shall address the Commission without first being recognized by the presiding officer.
- c) **Procedure.** Each person addressing the Commission shall approach the podium, give his/her name and address in an audible tone of voice for the records, state the subject the person wishes to discuss. All comments shall be addressed to the Commission as a whole and not to any member thereof. No person other than members of the Commission and the person having the floor shall be permitted to enter into any discussion, directly or through a member of the Commission, without permission of the presiding officer. No question may be asked a member of the City staff without the permission of the presiding officer.
- d) **Charges against employees.** Should any person in a Commission meeting charge an employee with improper conduct, malfeasance, nonfeasance, or misfeasance, then in such event, such person shall be ruled out of order immediately and instructed to refer his/her complaint to the City Manager.
- e) **Disturbances.** No person attending any Commission meeting shall delay, interrupt, or disrupt the proceedings or refuse to obey the orders of the presiding officer. Any person making personal, impertinent, and slanderous remarks or who becomes boisterous while addressing the Commission or while attending the Commission meeting shall be removed from the room if the Sergeant at Arms is so directed by the presiding officer.

f) Communication devices.

- i. The use of wireless communication devices to send/receive text messages, instant messages, and/or emails between members of the Commission during Commission meetings is prohibited.
- ii. No person attending any Commission meeting shall possess a pager, cellular telephone, radiotelephone or other device that is set in a mode to provide audible notification of an incoming call, text or page.
- iii. No person attending any Commission meeting shall use a cellular telephone, radiotelephone or other telecommunication device for audible communications while the Commission meeting is in session.

6. ORDER OF BUSINESS

6.1 Agenda. The order of business of each regular and special meeting shall be as contained in the agenda prepared by the City Planner. The agenda shall be a listing by topic of subjects to be considered by the Commission. Placement of items on the agenda shall be governed by this Section. Conduct of business at special meetings shall likewise be governed by an agenda and the rules of procedure contained therein. The placement of agenda items for each meeting is determined as follows:

- a) Any and all action items or other matters, including all written data, except emergency items, to be brought before the Commission for its consideration, by the Chairperson or by any member of the Commission, shall be submitted in writing to the City Planner not later than ten (10) days 2:00 p.m. of the Thursday preceding the meeting at which the same is to be considered.
- b) When a motion, or other measure of any sort has been placed before the Commission and defeated, the same identical question shall not again be considered by the Commission until ninety (90) days have elapsed, unless the Commission, by majority vote, waives this restriction as to the item, or unless the item is a plat or plan being submitted to the Commission in accordance with the approval procedures outlined in Chapter 212 of the Local Government Code.

The agenda order set out is the desired order for conducting the business of the Commission of the City of Friendswood in regular and special meetings. When in the best interest of the Commission and the citizens of the City require, any item appearing on the agenda shall be considered out of order as shall be determined by the presiding officer in his/her sole discretion.

6.2 The order of the agenda shall be as follows unless the Chairperson, or City Planner, determines that a different order is in the best interest of the Commission, and/or the citizens of the City:

(1) **Call to Order.**

(2) **Public Comment.**

- a. Any citizen shall have a reasonable opportunity to be heard at any and all regular or special meetings of the Commission in regard to any and

all matters to be considered at any such meetings, or such other matters as citizens may wish to bring to Commission's attention.

- b. Any matter not posted on the agenda may not be discussed by the Commission, nor shall any action be taken by the Commission, except to indicate that the matter may be placed on a later agenda.
- c. Each speaker shall submit a card requesting the right to address the Commission to the Secretary prior to the commencement of the meeting.
- d. Each speaker shall be granted a three-minute time period to speak before the Commission and the Chairperson shall retain the discretion to further limit or increase this time as he/she deems appropriate.
- e. No electronic media is allowed for presentation during the public comment period. Information being presented to the Commission should be in paper format and ten (10) copies should be provided to the Secretary for distribution to the Commission and staff.

(3) **Work Session Topics.**

(4) **Public Hearings** – as called.

- a. *Sign in procedure.* Prior to the start of the public hearing, the Presiding Officer may require that all persons desiring to be heard sign in with the Secretary, giving their names and addresses. Any person who fails to sign in shall not be permitted to speak until all those who signed in have done so. At any public hearing, persons who have signed in and wish to be heard shall be given an opportunity to be heard.
- b. Each speaker that requests to speak at a public hearing shall be granted a five-minute time period to speak before the Commission and the Chairperson shall retain the discretion to further limit or increase this time as he/she deems appropriate.
- c. *Presentations.*
 - i. Staff will present the Commission with an overview of the public hearing.
 - ii. The Person, Group, or Applicant of the item at hand shall be granted a 15-minute time period to give the Commission a presentation. The Chairperson shall retain the discretion to further limit or increase this time as he/she deems appropriate.
 - 1. Any PowerPoint presentation must be received by the City Planner not later than ~~95:00~~ **9:00** ~~ap~~ **a**.m. of the ~~Monday~~ **Wednesday** preceding the meeting at which the same is to be considered.
 - 2. Information being presented to the Commission should be in paper format and ten (10) copies should be provided to the City Planner for distribution to the Commission and staff.
- d. No member of the Commission, including the Chairperson, shall be permitted to address the Commission during a public hearing held by

- the Commission or to address any board or other commission of the City during a public hearing held by such board or other commission.
- (5) **Consent Agenda.** Routine matters which require no discussion (any member of the Commission may remove an item from the consent agenda for discussion, and may include the following items:
 - a. Minutes.
 - b. Final plats.
 - (6) **Action Items.**
 - (7) **Discussion Items.**
 - (8) **Communications.**
 - a. Each member of the Commission will be given a five-minute time period to provide comments of community interests pursuant to Section 551.0415 of the Texas Government Code, which include:
 - i. Expressions of thanks, congratulations, or condolences;
 - ii. Information regarding holiday schedules;
 - iii. An honorary or salutatory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a persons' public office of public employment is not an honorary or salutatory recognition;
 - iv. Reminder about an upcoming event organized or sponsored by the governing body;
 - v. Information regarding a social, ceremonial, or community event organize or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official of the governing body; and
 - vi. Announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.
 - b. The members of the Commission may provide Liaison Reports as needed.
 - (9) **Executive Session.**
 - a. The Commission may retire into executive session as authorized by Chapter 551, Texas Government Code, as amended. Matters discussed during each Executive Session shall be identified by certified agenda or tape recorded, prepared and retained as required by law.
 - (10) **Action Related to Executive Session.**
 - (11) **Adjournment.**

7. CONSIDERATION OF ~~ORDINANCES, RESOLUTIONS AND MOTIONS~~ AGENDA ITEMS

~~7.1~~ **Printed or Typewritten Form.** All ~~ordinances and resolutions~~ back up materials such as draft ordinances, staff reports, site plans and plats shall be

provided to the Commission in printed or electronic form. ~~The Commission may, by proper motion, amend any ordinance or resolution presented to it and direct that the amended ordinance or resolution be recommended to the City Council.~~

7.27.1 City Attorney to Approve. ~~All ordinances, resolutions, and amendments thereto shall be approved as to form by the City Attorney.~~

7.37.2 Distribution of Information Ordinances and Resolutions. The City Planner or his/her designee shall provide electronic or paper copies of all back up materials proposed ordinances such as draft ordinances, staff reports, site plans and resolutions ~~plats~~ to all members of the Commission before or at the meeting at which the ordinancesite plan or resolutionplat is to be considered.

7.47.3 Discussion, Consideration and Processing of Items:

- a) *Motion to table.* Since the Commission of the City of Friendswood will always have regularly scheduled meetings, a motion to table, when carried, does not permanently defeat an ordinance, resolution, motion, or other measure. If such ordinance, resolution, motion, or other measure agenda item is tabled by a majority vote of the Commission, such ~~ordinance, resolution, motion, or other measure agenda item~~, if not sooner removed from the table, must be removed at the third meeting, and acted upon, even if only to place the item on the table again.
- b) *Procedure to debate.* Upon any ordinance, resolution or other measure agenda item being laid out, or any motion being made, any Commissioner present, before there is any debate opened on the subject, may make a parliamentary objection to the consideration of the subject which need not be seconded. No debate shall then be permitted, and the presiding officer shall immediately put the question, “shall the objection be sustained”? If the objection is sustained by a vote of two-thirds ($\frac{2}{3}$) of the Commissioners present, the ordinance, resolution, motion, or other measure agenda item is permanently defeated for that meeting and shall not be debated unless reconsidered under Section 6.1.b of these rules.
- c) *Closing of debate.* If, during debate upon any ordinance, resolution, motion or other matter agenda item before the Commission, any member moves that the subject under discussion be put to a vote without further debate (and such a motion need not be seconded), the presiding officer shall immediately ask the Commission, “is there any objection to proceeding to a vote on the ordinance, resolution, motion, or other measure agenda item before the Commission being taken immediately?” If any member objects, the presiding officer shall immediately and without debate put the question, “shall the subject being discussed be put to a vote, without debate?” to a vote of the Commission, and if two-thirds ($\frac{2}{3}$) of the Commissioners present vote in favor of ordering the vote, debate on the question shall be closed and a vote on the ordinance, resolution, motion or other measure agenda item taken immediately.
- d) *Reducing motion to writing.* All oral motions must be seconded before being put to vote by the chair (except where otherwise provided in these rules), and upon request of any other member of the Commission, or Chairperson, the party making any such oral motion (except a motion to order a vote on a subject being

considered per 7.4.d, or other such procedural matter) shall reduce the same to writing, or request the City Planner to do the same.

e) Majority Vote Required. All action required of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meeting. Excluding conflicts of interest as provided by state law or by City Charter, all members present at each meeting must vote on each subject presented for Commission vote. ~~An affirmative vote of the four or more members of the Commissioners present is necessary to recommend any ordinance, resolution or take any official action in the name of the City except as otherwise provided in the Charter or by state law.~~

e)f) Recommendations. When required by State law, the Commission shall provide a final report to City Council. The final report or recommendation is a definitive action of approval or disapproval coupled with a recitation of reasons for the decision reported which are necessary to support the Commission.

8. CREATION OF AD HOC COMMITTEES

8.1 Commission Committees. The Commission may, as the need arises, authorize the appointment of the “ad hoc” Commission committees. Any committee so created shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority of the Commission.

9. ANNUAL REPORT TO CITY COUNCIL

9.1 Annual Report. When directed to do so by City Council, the Chairman shall provide to City Council a report of activities accomplished over the previous year as well as upcoming or current goals that the Commission is working toward.

RESOLUTION NO. R2020-17

**A RESOLUTION ADOPTING RULES OF PROCEDURE
FOR THE PLANNING AND ZONING COMMISSION OF
THE CITY OF FRIENDSWOOD, TEXAS, PURSUANT TO
AUTHORITY CONTAINED IN SECTION 2-3 OF THE CODE
OF THE CITY OF FRIENDSWOOD, TEXAS; AND
REPEALING RESOLUTION NO. R2019-15.**

* * * * *

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD,
TEXAS:**

Section 1. The following rules of procedure shall govern all meetings and proceedings of the Planning and Zoning Commission (“Commission”) of the City of Friendswood, Texas, and the conduct of its members and persons in attendance at such meetings:

Rule 1. Meetings - Regular and Special.

(A) The Commission shall meet in the Council Chambers of the City Hall on the second and fourth Thursday of each month, commencing at 7:00 o’clock p.m., provided one or more complete applications have been submitted requiring their consideration. In the event Thursday falls on a holiday, the meeting for that day shall be rescheduled as determined by the Commission. Any meeting of the Commission may be recessed from hour to hour for a period of time not to exceed 24 hours, by a majority vote of the members present at such meeting, and such recessed meeting shall be held without further notice.

(B) Special meetings of the Commission shall be held by the call of the Chairman or of four (4) or more members. Such meetings may be held at City Hall or at another location within the City designated by the Commission.

(C) Four (4) members shall constitute a quorum for the transaction of business.

(D) The Commission may retire into Executive Session as authorized by the Open Meetings Act (Texas Government Code Chapter 551). These Rules of Procedure shall apply to the conduct of commissioners in an Executive Session, provided they do not conflict with the provisions of the Open Meetings Act.

Rule 2. Chairman Call to Order.

The Chairman, or in his absence the Vice Chairman, shall preside at all meetings of the Commission. In the absence of the Chairman and Vice Chairman, any member elected by a majority of the Commission at such meeting may preside unless another member has been designated by the Chairman. The Chairman or acting Chairman, shall assume the chair, call the Commission to order, and the Secretary shall record the roll.

Rule 3. Handling of Agenda Subjects.

The Commission shall be the sole judge of its own procedure and shall be in full control of the business before it. Neither the Chairman, the Vice Chairman, nor any member appointed to preside shall have any power to either recess a meeting or adjourn a meeting, or prevent the Commission from considering an agenda item, or lay the same out for consideration, except in accordance with Texas Open Meetings Act, the City Charter and as otherwise provided herein. If, notwithstanding the positive provisions of the Rule, the presiding officer, whether Chairman, Vice Chairman, or member presiding, shall attempt to prevent the Commission from taking any action on any agenda item brought before it, any member present may call for a vote of the Commission to consider the matter.

Rule 4. Conduct of Chairman and Members.

Any member of the Commission, including the Chairman, who shall fail to observe decorous and orderly behavior during a meeting of the Commission shall be subject to expulsion from such meeting upon motion passed by two-thirds vote of the Commission present at the meeting. Any member reprimanded by motion or expelled from a meeting by motion who thereafter commits another breach of decorous and orderly behavior during a subsequent meeting shall be subject to the same power of Commission to reprimand him/her, expel him/her from the meeting, or subject such member to complaint, investigation, and conviction of official misconduct.

Rule 5. Non-interruption

Members of the Commission shall be permitted to address the Chair while either seated or standing, and after recognition shall not be interrupted while speaking without his consent.

Rule 6. Handling of Question of Order.

All questions of order shall be decided by the presiding officer with right of appeal of his/her decision to the Commission members, and a majority of the Commissioners present may overrule the decision of the Chair. When the Chair rules on a point of order and one of the members states "I appeal the ruling of the

Chair”, or words to such effect, no other business shall be transacted until the question, “Shall the ruling of the Chair be sustained?” be voted on. The Chairman shall immediately put such question to vote without debate, and, if he/she fails to do so immediately, any member of the Commission may put the question to a vote.

Rule 7. Procedure for Submitting Agenda Items.

Any person requesting the placement of an action item on any Commission Meeting agenda must notify the Planning and Zoning Secretary of same at least eight (8) working days prior to the meeting. All backup information such as plats, site plans, etc., must be submitted at that time. Agenda items which do not require action at a Commission Meeting may be submitted up to seventy-two (72) hours in advance of the meeting. The Commission may adopt a policy regulating the number of items on an agenda.

Rule 8. Motion to Table.

Since the Commission has regularly scheduled meetings, a motion to table, when carried, does not permanently defeat a measure. If a motion or other measure is tabled by a majority vote of the Commission, such motion, or other measure, if not sooner removed from the table, must be removed at the third meeting, and acted upon, even if only to place the item on the table again.

Rule 9. Procedure to Debate.

Upon any measure being laid out, or any motion being made, any member present, before there is any debate opened on the subject, may make a parliamentary objection to the consideration of the subject which need not be seconded. No debate shall then be permitted, and the Chairman shall immediately put the question, “Shall the objection be sustained?” If the objection is sustained by a vote of two-thirds of the members present, the motion or other measure is permanently defeated for that meeting and shall not be debated (except in accordance with Rule 11).

Rule 10. Closing of Debate.

If, during debate upon any motion or other matter before the Commission, any member moves that the subject under discussion be put to a vote without further debate (and such a motion need not be seconded), the Chairman shall immediately ask the Commission, “Is there any objection to proceeding to vote on the motion or other measure before the Commission being taken immediately?” If any member objects, the Chairman shall immediately and without debate put the question, “Shall the subject being discussed be put to a vote without debate?” To a vote of the Commission, and if two-thirds of the members present vote in favor of ordering the vote, debate on the question shall be closed and a vote on the motion or other measure shall be taken immediately.

Rule 11. Reconsideration of a Subject.

When a motion or other measure of any sort has been placed before the Commission and defeated, the same identical question shall not again be considered by the Commission until ninety (90) days have elapsed from the date of the denial, unless the item is a plat or plan being submitted to the Commission in accordance with the approval procedures outlined in Chapter 212 of the Local Government Code.

Rule 12. Reducing Motion to Writing.

All oral motions must be seconded before being put to a vote by the Chair (except where otherwise provided in these Rules), and upon request of any member or Chairman, the party making any such oral motion (except a motion to order a vote on a subject being considered per Rule 10 or table, or other such procedural matter) shall reduce the same to writing, or request the Secretary to do the same. If a motion be made by any member of the Commission in writing and filed with the presiding office, it shall still require a second.

Rule 13. Secretarial Procedure.

A member of the City Staff shall be assigned the duties of the secretary for the Commission and shall act as reading and recording clerk to the Commission. By his or her signature, the Secretary shall certify the correctness of the minutes and journals, shall record all actions taken by the Commission, shall record the vote upon each measure when taken by the ayes and nays, and shall perform such other duties as may be required. The secretary shall mark the absence of any member of the Commission. The secretary shall test and attest to the satisfactory operation of the tape recorder, and maintain proper functioning and tape changes as needed throughout the meeting. In the absence of the Secretary, any suitable person may be appointed by the Secretary or Chairman to serve as acting Secretary of any meeting. The Secretary shall ensure that a tape recording of any executive session shall be made and shall secure such following each meeting.

The Secretary shall keep a copy of these Rules and any other required documents available for reference.

Rule 14. Voting.

All action required of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings. Excluding conflicts of interest as provided by state law or by City charter, all members present at each meeting must vote on each subject presented for Commission vote. All votes must be taken in accordance with section 3.10, article III of the City charter.

Rule 15. Citizen's Right to be Heard.

Any citizen shall have a reasonable opportunity to be heard at any and all regular and special meetings of the Commission in regard to any and all matters to be considered at any such meeting, or such other matters as citizens may wish to bring to the commission's attention, provided, however, that any matter not posted on the agenda may not be discussed by commissioners nor shall any action be taken except to indicate that the matter may be placed on a later agenda. A time shall be set aside during each commission meeting for the commission to hear from the public, such designated time not to exceed five (5) minutes per person. The Chairman shall retain the discretion to further limit or increase this time for public comments on agenda items. Citizens attending any regularly scheduled meeting may speak before the Commission by completing a form and presenting it to the Secretary prior to the beginning of such meeting.

No member of the public shall be heard until recognized by the presiding officer. Any member of the public interrupting commission proceedings, or failing to abide by these rules of procedure in addressing commission, shall be deemed guilty of disorderly conduct and, at the direction of the presiding officer, shall be removed from council chambers by the sergeant-at-arms or other agent designated by the Commission. Any citizen shall be entitled to visit city hall, during regular business hours, and inspect all past commission meeting minutes, and the agenda relating to those items to be considered by the commission in advance of the meeting and inform himself or herself as to the matters to be considered.

Rule 16. Order of Business - Regular Meetings.

Unless agreed to otherwise by majority vote of Commission, the normal order of business before the Commission in any regular meeting shall be as follows:

- (1) Call to order
- (2) The Secretary shall mark the absence of the Chairman or any other member of the Commission.
- (3) The Commission shall receive petitions and hear any of the public as provided in Rule 15, and any appeal or other matter specially set for public hearing shall then be heard by the Commission.
- (4) Consent agenda
 - A. Minutes
 - B. Final plats
- (5) Tabled items shall then be considered.
- (6) Items for discussion and action shall then be considered.

- (7) Staff Reports and reports from Commissioners and council liaison.
- (8) Adjournment.

Rule 17. Order of Business for Special Meetings.

Unless agreed to otherwise by majority vote of Commission, the normal order of business before the Commission in any special meeting shall be as follows:

- (1) Call to order.
- (2) The Secretary shall mark the absence of the Chairman or any other member of the Commission.
- (3) The Chairman shall state the purpose(s) of the meeting.
- (4) No business shall be discussed or acted upon at such meeting unless the subject has been duly posted in accordance with the Texas open meetings act.
- (5) Adjourn meeting.

Rule 18. Suspension of Rules of Procedure.

Any one or all of these rules of procedure may be suspended in order to allow a particular consideration of a matter, provided that it does not violate state law, or the City's Home Rule Charter, and provided not less than two-thirds of the members present vote in favor of such suspension. Where any rule embodies a provision of state law, identically or in substance, such rule may not be suspended. The requirement of two-thirds of members present to suspend a rule shall not apply to Rules 16 and 17, but the order of business may be suspended by a majority vote.

Rule 19. Rules of Procedure.

Except where in conflict with state law, the City's Home Rule Charter, city ordinance, or the rules of procedure adopted by this Resolution, the rules of procedure laid down in Robert's Rules of Order, 75th Anniversary Edition, shall govern the proceedings of the Commission.

Section 2. Rules regarding official instruments of the Commission.

The Commission shall utilize five (5) instruments to formally report its work as follows:

Instrument 1. Official Notice.

- (A) Provisions for advance general announcement of Commission meetings.
- (B) Provisions for special notice of abutting and adjacent parties having interest in an application before the Commission.

Instrument 2. Agenda

The agenda of the Commission shall have coherent and consistent structure, with similar items grouped together and relevant staff reports clearly referenced or attached.

Instrument 3. Staff Report.

A staff report shall be prepared regarding each item requiring action on the agenda and shall become a part of the official record of Commission proceedings. The staff report shall consist of the following:

- (A) Description of the proposal;
- (B) Notation of compliance with existing adopted city ordinances and plans;
- (C) Anticipated impact of the proposal upon existing city streets, services and facilities;
- (D) Recommendations to bring the proposal into compliance with adopted ordinances and plans, if required.

Instrument 4. Minutes.

The structure of the minutes shall follow the order of the agenda, or the order of the items as considered. The content of minutes shall recognize all information presented to the Commission whether by staff, other public agencies or commissions, community groups, or interested parties. The minutes shall provide formal record of the Commission's actions, including the name of the mover and seconder by motions, the specific construction of motions, and the voting record. This record must be provided for all motions, whether passed or defeated. The minutes of each meeting shall be prepared, made publicly available, and adopted by the Commission at a subsequent meeting; at the subsequent meeting, revisions of the minutes may be made by vote.

Instrument 5. Resolutions.

A resolution may take the form of an official recommendation, coupled with a recitation of reasons, to a legislative or administrative unit; or it may be a definitive action of approval or disapproval over which the Commission holds jurisdiction. Commission resolutions shall contain a clear and specific recitation of reasons for the decision reported. These reasons are necessary to support a recommendation to the Commission. They are required when the Commission rejects or amends the recommendation contained with the staff report. Here, the findings and recommendation of the staff should be clearly separated from the findings and recommendations of the Commission.

Section 3. The City of Friendswood, Galveston/Harris Counties, Texas, Resolution No. R2010-09 is hereby repealed.

ADOPTED by the Planning and Zoning Commission of the City of Friendswood on this the 14 day of May, 2020.


Joe Matranga, Chairman
Planning & Zoning Commission

ATTEST:


Aubrey Harbin, Director of Community Development/Planner
Planning & Zoning Commission

* * * * *

PASSED, APPROVED, AND RESOLVED by City Council this the 1st day of June, 2020.


Mike Foreman
Mayor

ATTEST:


Melinda Welsh, TRMC
City Secretary





FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Meeting Date: August 12, 2021

Subject: Receive information from Staff regarding the June 2021 DRC Report, commercial and residential project updates, City Council action and ordinance updates.

Action:

SUMMARY / ORIGINATING CAUSE

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

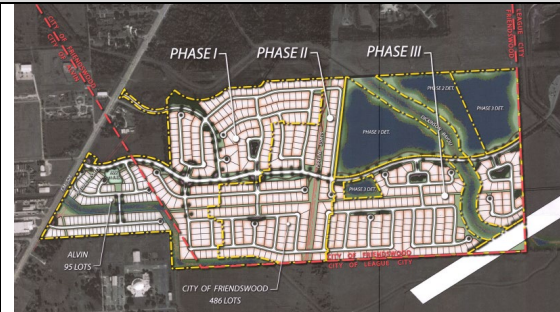
ATTACHMENTS

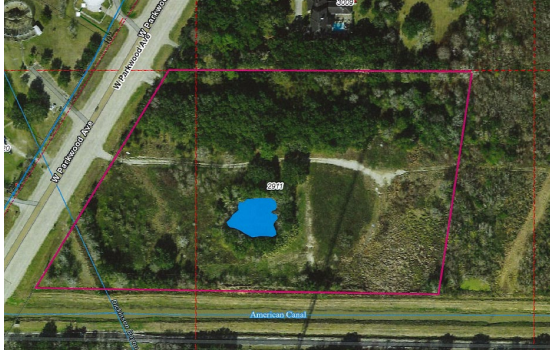
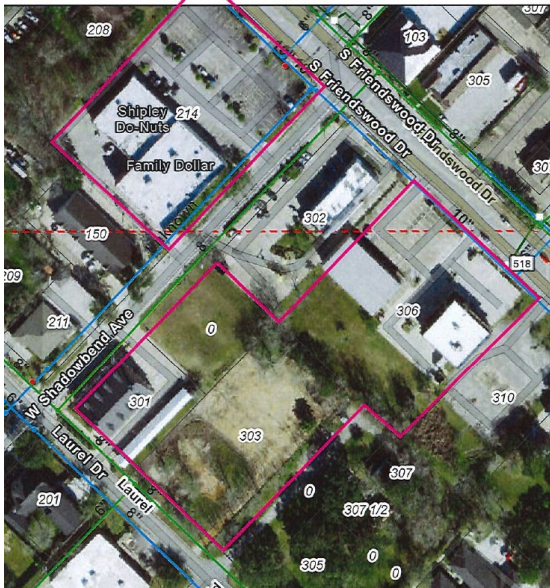
1. July 2021 DRC Report

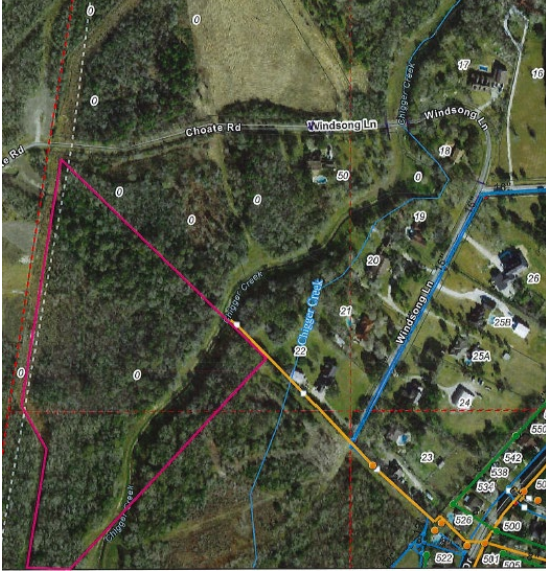
Memo

To: Planning & Zoning Commission
 From: Aubrey Harbin, Director of Community Development/Planner
 Date: August 5, 2021
 Re: DRC Report

The following DRC Meetings were held in July 2021.

Project	Current Zoning	Zone Change Required? Y/N	Issues discussed	Location
Georgetown Subdivision – follow up meeting Moved detention to area of concern with proximity to gun range; project also included lots on the Alvin side now	SFR	No	Concern with residential lots straddling city and county lines/school district boundaries; driveway permits in review with TxDOT; incorporating Atlas 14 rainfall requirements; coordinating with Brazoria County Drainage District #3 and GCCDD; Development permit required for hydroexcavating pipelines and preliminary clearing; need Utility Service Agreement executed; conceptual plan to P&Z; plat extensions; master utility plan; no objection letters/approvals from City of Alvin	

2911 W. Parkwood Ave. History Maker Homes – approx. 69 townhomes gated with amenities such as dog park, walking trails, etc.	SFR/SUP	MFR-L	Zone change required – 6 units per acre; platting required; site plan approval required; required to comply with COD requirements; extend and loop waterline; extend sewer line; on-site detention required and cannot drain to American Canal; no high hazard flood zones; TxDOT permits required for any work, such as installation of sidewalks and driveways, in the right-of-way on FM 528; pipelines exist – minimum 50ft build line required from nearest pipeline; fire sprinklers may be required; Knox key for gated community; building permits required and compliance with new windstorm regulations.	
303 Laurel 5.5 acre Mixed Use Development – boutique hotel, banquet hall, restaurant, apartments, offices	DD/PUD	Yes – DD/SUP	SUP required for the hotel component – all other uses are allowed in DD; also changing previous PUD to DD; replat required; site plan approval required – compliance with DD regulations required; provide parking analysis and DCM Modification Form for shared parking; water and sewer services are available; development fees waived per NEZ; health department approval required for restaurant uses; on-site detention required – may petition to GCCDD to obtain credit for existing impervious cover and to purchase regional detention; no high hazard flood zones; TxDOT permits required for any improvements in FM 518 right-of-way; permeable surface required to support weight of fire truck; fire sprinklers required; remote FDC; Knox keys; required to meet current buildign and windstorm codes	

18 acres – Windsong Lane Subdivide into 10-12 residential lots	SFR	No	Preliminary and Final Plats required; improved access to the property required including building new bridge over the low water crossing and widening portion of Windsong Lane; minimum landscaping and parking for residences is required; tree survey required for common areas; park dedication fees due at building permit; water and sewer will be required to be extended; impact fees due at building permit; on-site detention required; all types of flood zones exist – compliance with current flood ordinance required; oil wells are also existing – 150ft buffer required from active wells; defer to oil company requirements for setbacks from abandoned wells; fire truck turnaround required; compliance with current building and windstorm requirements is required	
209 Garden Dr. Subdivide Lot 9 into 2 residential lots fronting Shadowbend; build on Lot 10	SFR	No	Replat required – Friendswood Gardens Subdivision; minimum landscape and parking for residential required; water and sewer are available; park dedication fee and impact fees due at time of building permit for new structures; 4-ft sidewalk required on curb and gutter streets; make a request to GCCDD to purchase regional detention; no high hazard flood zones; compliance with current building and windstorm requirements is required	