



NOTICE IS HEREBY GIVEN OF A FRIENDSWOOD CITY COUNCIL REGULAR MEETING TO BE HELD AT 5:30 PM ON MONDAY, MAY 06, 2019, AT FRIENDSWOOD CITY HALL, COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, REGARDING THE ITEMS OF BUSINESS ACCORDING TO THE AGENDA LISTED BELOW:

1. Call to order
2. Invocation – Pastor Mike Cervantes, New Hope Church
3. Pledge of Allegiance – Boy Scouts Michael Coleman and Lee Meyer with Pack 452 United States and Texas (HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE)
4. Communications from the Public
(To comply with provisions of the Open Meetings Act, the City Council may not deliberate on items discussed under this agenda item. The Council may refer this item to the City Manager or direct this item to be placed on the next regular Council agenda. PowerPoint presentations are not conducted during the citizen comment period. Out of respect for those speaking during public comment, please refrain from any outbursts or interjections to include, but not limited to, applause and/or disparaging noises from the audience. Doing so discourages others from voicing their thoughts and opinions, and disrupts the meeting.)
5. Work Session
 - A. Drainage Subcommittee Recommendations
6. CLOSED EXECUTIVE SESSION – (Executive Conference Room/Adjacent to Council Chambers-City Hall)
 - A. Communications from the Public regarding Executive Session topics.
 - B. Council may convene into Executive Session in accordance with Texas

Government Code, pursuant to Section 551.072: Deliberations about Real Property – to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governing body in negotiations with a third party with possible discussion and action related thereto in open session.(park land) and Section 551.074: Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee with possible discussion and action related thereto in open session. (Evaluation of the City Manager)

7. RECONVENE INTO OPEN SESSION

8. Special Recognition and Acknowledgements

- A. Presentation of the Texas Municipal Library Directors Association's (TMLDA) 2018 Achievement of Library Excellence Award by Rebecca Pool, Library Director at the Deer Park Public Library and past President of TMLDA

9. Joint Public Hearings

To receive comments from the public, both oral and written, regarding:

- A. Amending the City of Friendswood Code of Ordinances, Appendix C, Zoning Ordinance "Section 8.N.1. Geographic limits" regarding proposed amendments to the established boundary of the Downtown District.
- B. Amending the City of Friendswood Code of Ordinances, Appendix C, Zoning Ordinance "Section 8. F. Off-street parking and loading regulations" to relocate Downtown District (DD) related language to "Section 8.N.3. Parking" and amendments to reduce the head in parking distance requirement from 400 feet to 75 feet, including minor grammatical corrections.
- C. Amending the City of Friendswood Code of Ordinances, Appendix C, Zoning Ordinance "Section 7.I." and "Section 8.N.4." to allow cement fiber board installed as lap siding in the Downtown District (DD); "Section 8.N.4." to change the fenestration requirements in the Downtown District (DD), and "Section 8.N.4." to restate that service laterals must be installed underground, prohibit garage bay doors from fronting FM 518 in certain situations, limit exterior building colors to earth tone colors, require that screening materials match the main structure and add a reference to dumpster screening requirements, including minor grammatical corrections.
- D. Amending the City of Friendswood Code of Ordinances, Appendix C, Zoning Ordinance "Section 8.N.8. Adjacent property, buffer maintenance and installation" duplicating requirements for buffering from "Section I.2. Perimeter landscaping and screening;" and amendments to "Section 8.N.3. Parking" duplicating requirements for parking from "Section I.2.c. Off-street parking landscaping;" and relocating language Planned Unit Development (PUD) modification from "Section 8.H. Modification of standards proposed within a PUD" to "Section 7.J. PUD, Planned Unit Development, general purpose and description," including minor grammatical corrections.
- E. Amending the City of Friendswood Code of Ordinances, Appendix A, Sign Ordinance "Section 9 Prohibited Signs" to prohibit LED storefront lights in Downtown District.

10. Communications from the Public

(To comply with provisions of the Open Meetings Act, the City Council may not deliberate on items discussed under this agenda item. The Council may refer this item to the City Manager or direct this item to be placed on the next regular Council agenda. PowerPoint presentations are not conducted during the citizen comment period. Out of respect for those speaking during public comment, please refrain from any outbursts or interjections to include, but not limited to, applause and/or disparaging noises from the audience. Doing so discourages others from voicing their thoughts and opinions, and disrupts the meeting.)

11. City Manager's Report

- A. Report on Spring Sparkle Cleanup Event
- B. Memorial Day Ceremony
- C. The Mitch & Artha Wright Concerts in the Park
- D. Hurricane Preparedness
- E. Keep Friendswood Beautiful Items
- F. Hurricane Harvey Update

12. Communications From Committees and Special Reports

- A. Fourth of July Steering Committee Annual Report given by Vice Chair Barbara Blanchard

13. Discussion and possible action regarding approving an appointment/reappointment to the West Ranch Management District Board (WRMD) of Meredith Levine to a four-year term ending June 01, 2023, to replace Frank Harper whose term expires June 01, 2019, and the reappointment of Sawyer Blackburn to a four-year term ending June 01, 2023.

14. Discussion and possible action regarding approval of membership to Bay Area Houston Economic Partnership (BAHEP).

15. Discussion and possible action regarding the termination of a Joint Agreement with Galveston County Consolidated Drainage District (GCCDD) for Election Services.

16. Discussion and possible action regarding implementation of the recommendations of the Drainage Subcommittee.

17. Resolutions

Consideration and possible action regarding the following:

- A. Resolution R2019-12: A resolution of the City of Friendswood, Texas, suspending the May 10, 2019, effective date of CenterPoint Energy Houston Electric, LLC's requested rate change to permit the city time to study the request and to establish reasonable rates; approving continued cooperation with the Gulf Coast Coalition of Cities; hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities' rate case expenses;

finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

- B. Resolution R2019-13: A resolution of the City Council of the City of Friendswood, Texas, authorizing and approving the 2019 Urban Area Security Initiative (UASI) Grant Program application. (Combat Casualty Care Training for first responders)
- C. Resolution R2019-14: A resolution of the City Council of the City of Friendswood, Texas, affirming the Drainage Subcommittee's findings that Friendswood is subject to high intensity historic level of flooding events caused by Clear Creek being incapable of containing watershed rainwater within its current banks; necessitating a cause for action to pursue mitigation activities to better position the city for future flood events.
- D. Resolution R2019-15: 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. R2010-09.
- E. Resolution R2019-16: A resolution of the City of Friendswood, Texas, Galveston/Harris counties, endorsing the reappointment of four (4) members and appointment of one (1) new member to the Galveston County United Board of Health.

18. Ordinances

Consideration and possible action regarding the following:

- A. Ordinance No. T2019-11: (Title: Second and Final reading of an ordinance amending the zoning classification for a tract or parcel containing 115.998 acres located along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) to Planned Unit Development (PUD) for a residential development, "Avalon at Friendswood", as more fully described herein) An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – "Zoning," by amending the zoning classification for a tract or parcel containing 115.998 acres of land along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) to Planned Unit Development (PUD) for a residential development, "Avalon at Friendswood", consisting of the following tracts: 1) 87.774 acres, more or less, being a portion of a called 96.944 acres tract in the Mary Fabreau Survey, Abstract No. 69 in Galveston County, Friendswood, Texas, save and except a 9.170 acre portion of the same tract; and 2) 28.2240 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, Friendswood, Galveston County, Texas; amending the zone classification from Single Family Residential (SFR) to Planned Unit Development (PUD) for a residential development, "Avalon at Friendswood"; providing for amendment of the Official Zoning Map; providing a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; and providing for severability.
- B. Ordinance No. T2019-13: (Title: Second and Final reading of an ordinance

amending Appendix C “Zoning,” Section 15. “Amendments” and Chapter 70 “Vacation of Street, Drainage, Utility or other Public Easement” to change from joint public hearings to separate public hearings and to amend ordinance wording to be consistent with state law) An ordinance amending Appendix C – “Zoning,” section “Amendments” and Chapter 70 “Vacation of Street, Drainage, Utility or other Public Easement” to change from Joint Public Hearings to separate Public Hearings and to amend ordinance wording to be consistent with state law; providing a penalty for violation in an amount not to exceed \$2,000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

- C. Ordinance No. T2019-14: (Title: Second and Final reading of an ordinance approving the execution of a Developer Participation Agreement between the City of Friendswood, Coastal Bend Property Development, LP and Ser Construction Partners, LLC) An ordinance approving the execution of a Developer Participation Agreement between the City of Friendswood (city) and Coastal Bend Property Development, LP (developer) and Ser Construction Partners, LLC, (contractor), for the purpose of making certain public improvements as authorized by law.
- D. Ordinance No. T2019-16: (Title: First reading of an ordinance amending Appendix C “Zoning,” Section 8.N.1., “Geographic Limits,” to amend the established boundary of the Downtown District map) An ordinance amending Appendix C – “Zoning,” Section 8.N.1., “Geographic limits,” to amend the established boundary of the Downtown District map; providing a penalty for violation in an amount not to exceed \$2000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.
- E. Ordinance No. T2019-17: (Title: First reading of an ordinance amending Appendix C “Zoning,” “Section 8. F. Off-street parking and loading regulations” to relocate DD related language to “Section 8.N.3. Parking” and amendments to reduce the head in parking distance requirement from 400 feet to 75 feet, including minor grammatical corrections) An ordinance amending Appendix C – “Zoning,” “Section 8.F. Off-street parking and loading regulations” and “Section 8.G. Off-street loading regulations” to relocate Downtown District (DD) related language to “Section 8.N.3. Parking” and amendments to reduce the head in parking distance requirement from 400 feet to 75 feet, including minor grammatical corrections; providing a penalty for violation in an amount not to exceed \$2000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.
- F. Ordinance No. T2019-18: (Title: First reading of an ordinance amending Appendix C “Zoning,” “Section 7.I.” and “Section 8.N.4.” to allow cement fiber board installed as lap siding in the Downtown District (DD); “Section 8.N.4.” to change the fenestration requirements in the Downtown District (DD), and “Section 8.N.4.” to restate that service laterals must be installed underground, prohibit garage bay doors from fronting FM 518 in certain situations, limit exterior building colors to earth tone colors, require that screening materials match the main structure and add a reference to dumpster screening requirements, including minor grammatical corrections) An ordinance

amending Appendix C – “Zoning,” “Section 7.I.” and “Section 8.N.4.” to allow cement fiber board installed as lap siding in the Downtown District (DD); “Section 8.N.4.” to change the fenestration requirements in the Downtown District (DD), and “Section 8.N.4.” to restate that service laterals must be installed underground, prohibit garage bay doors from fronting FM 518 in certain situations, limit exterior building colors to earth tone colors, require that screening materials match the main structure and add a reference to dumpster screening requirements, including minor grammatical corrections; providing a penalty for violation in an amount not to exceed \$2000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.

- G. Ordinance No. T2019-19: (Title: First reading of an ordinance amending Appendix C “Zoning,” “Section 8.N.8. Adjacent property, buffer maintenance and installation” duplicating requirements for buffering from “Section I.2. Perimeter landscaping and screening;” and amendments to “Section 8.N.3. Parking” duplicating requirements for parking from “Section I.2.c. Off-street parking landscaping;” and relocating language PUD modification from “Section 8.H. Modification of standards proposed within a PUD” to “Section 7.J. PUD, Planned Unit Development, general purpose and description,” including minor grammatical corrections) An ordinance amending Appendix C – “Zoning,” “Section 8.N.8. Adjacent property, buffer maintenance and installation” duplicating requirements for buffering from “Section I.2. Perimeter landscaping and screening;” and amendments to “Section 8.N.3. Parking” duplicating requirements for parking from “Section I.2.C. Off-street parking landscaping;” and relocating language PUD modification from “Section 8.H. Modification of standards proposed within a PUD” to “Section 7.J. PUD, Planned Unit Development, general purpose and description,” including minor grammatical corrections; providing a penalty for violation in an amount not to exceed \$2000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.
- H. Ordinance No. T2019-20: (Title: First reading of an ordinance amending Appendix A, Signs, “Section 9. Prohibited Signs” to prohibit LED and similar storefront lights in the Downtown District boundary) An ordinance amending Appendix A, signs, “Section 9. Prohibited signs” to prohibit LED storefront lights in the Downtown District boundary; providing a penalty for violation in an amount not to exceed \$2000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.
- I. Ordinance No. T2019-21: (Title: First and Final reading of an ordinance adopting Budget Amendment VII to the Original General Budget of the City for Fiscal Year 2018-2019 to provide for supplemental appropriation and/or transfer of certain funds) An ordinance amending City of Friendswood, Texas, Ordinance No. 2018-28, passed and approved October 1, 2018, same being an ordinance approving and adopting the City’s General Budget for Fiscal Year 2018-2019 by approving “Budget Amendment VII” to the “Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2018-2019”; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.

19. Communications from the Mayor and Councilmembers

20. Consent Agenda

Consideration and possible action regarding the following:

- A. Authorizing the Mayor to call a regular meeting of the City Council on May 13, 2019, to canvass the May 4, 2019, election results
- B. Approving an Interlocal Agreement regarding use of Friendswood Independent School District assets for City Events and Programs
- C. Ratify the City Manager's signature approving a request by American Tower for equipment installation at 1606 Whitaker Drive (Public Safety Building)
- D. Approving the disposition and replacement of Emergency Medical Service (EMS) vehicle Ambulance 47
- E. Authorizing the final acceptance of the Friendswood Lakes Blvd. paving and utilities improvements at the completion of the contractor's one year maintenance period
- F. Authorizing acceptance of Industry Park waterline improvements into the contractor's one-year maintenance period
- G. Approving an application for utilities outside of the city limits – 18625 County Road 548 (Baker Rd), Pearland, Texas
- H. Accepting the March 2019 Property Tax Report
- I. Approving the Minutes of the April 01, 2019, Council Meeting

21. Adjournment

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, MELINDA WELSH, CITY SECRETARY OF THE CITY OF FRIENDSWOOD DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE FRIENDSWOOD CITY COUNCIL WAS POSTED IN A PLACE CONVENIENT TO THE GENERAL PUBLIC IN COMPLIANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE, ON MAY 02, 2019, AT 4:20 PM.

MELINDA WELSH, TRMC
CITY SECRETARY

****All meetings of City Council 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 City Council reserves the right to convene into Executive Session to hear any of the above described agenda items that qualify for an executive session by publicly announcing the applicable section number of the Open Meetings Act.**



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 30, 2019

Dept. Clearances: Morad Kabiri

Prepared by: Morad Kabiri

Subject: Drainage Subcommittee Recommendations

Originating Department: City Manager's Office

City Attorney Review: N/A

Proceeding: Work Session

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: N/A

Amount Budgeted: N/A

Appropriation Required: N/A

Source of Funds: N/A

FINANCE APPROVAL: N/A

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Over the last several months, the Drainage Subcommittee has met to study flooding issues that have plagued Friendswood during extreme, multi-day, rain events since 1979. As their efforts come to close and State and Federal funding become available, the need for matching dollars and a local commitment is increasingly present.

April 1st, Council heard the presentation of the Subcommittee enumerating several observations and recommendations. The latter are enumerated below:

Recommendation 1	City Council needs to clearly state, through a resolution, that the work of the sub-committee generates a cause for action to mitigate rainstorm flood events.
Recommendation 2	There are a number of mitigation projects that need to be pursued to completion to significantly reduce flooding. All involve the main stem of Clear Creek.
Recommendation 3	Propose a bond proposition to voters of approximately \$32M worth of drainage projects over the next 15 years. The \$32M would be the City's share of the work. All the projects would involve the main stem of Clear Creek.
Recommendation 4	Hire a long-term Clear Creek Watershed Drainage Coordinator to create a long-term strategy and a constancy of purpose.
Recommendation 5	Review and change the City's current permitting criteria in regard to drainage to better reflect the realities of the types of storms that occur here.
Recommendation 6	Acquire properties along Clear Creek to meet the demand for drainage projects along the main stem of Clear Creek.
Recommendation 7	The City should be proactive in regard to the management of the flow of water down Clear Creek. The City should take the leadership role in organizing municipalities along Clear Creek to create a common purpose in fixing the creek.
Recommendation 8	Evaluate various efforts to restructure watershed management currently being

	contemplated at the County and State levels.
Recommendation 9	Focus on the future and do not seek redress for changes that have occurred to Clear Creek in years' past.
Recommendation 10	Localized areas in Friendswood impacted by smaller storms than that of Harvey should be addressed by the City separate and apart from the mitigation projects proposed on Clear Creek.
Recommendation 11	Increase monitoring resources and technology along Clear Creek and its tributaries to improve response capabilities.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Failure to have an individual advocate on behalf of Friendswood for much needed drainage projects could result in further vulnerability in future storms.

RECOMMENDATIONS

None at this time

ATTACHMENTS

[Drainage Subcommittee – Final Presentation](#)

Friendswood Drainage Sub-Committee

Observations, Conclusions, and Recommendations to Friendswood City
Council April 1, 2019

One Recommendation to Solve Flooding in Friendswood



And....we are done! April Fools!

Drainage Sub-Committee

• <i>Chartered by Friendswood City Council June, 2018 - ad hoc team</i>	• <i>Formed and started meeting June 28, 2018</i>
• <i>Has met 35 times since then...over 500 of hours of work</i>	• <i>Team Members....</i>

Person	Role	Person	Role
Assigned Members			
James Stahl	Community Representative	Lee Coggins	Community Representative
Ron Lovely	Community Representative	Kenny Koncaba	Community Representative
Gary Harris	Gal. County Cons. Drainage District	Marcus Rives	Gal. Co. Cons. Drainage District
Ken Clark	Galveston County Commissioner	Carl Gustafson	Friendswood City Council
Morad Kabiri	Friendswood City Manager	Steve Rockey	Friendswood City Council – Chair
Myron Jones	Harris County Flood Control District	Lance Gillian	Harris County – Rodney Ellis Office
Ad Hoc Members			
Dawn McDonald	State Rep. Dennis Paul's Office	Jed Webb	US Congressman Randy Weber's Office
Jackie King	State Senator Larry Taylor's Office	Fay Picard	State Rep Dr. Greg Bonnen's Office
Melissa Washington	Texas General Land Office	Shakhar Misir	US Army Corps of Engineers

Presenting Tonight

- Team members James Stahl and Lee Coggins.....however the presentation was developed by the whole team.
- We have been following a process and have already presented our problem statement, a significant portion of the data, and analysis.
- Tonight we have some analysis to present. We will also be presenting our Observations/Conclusions and we will present recommendations.
- **AND....there are no formulas to learn tonight!!**

Harvey Damage Data

- After Harvey, City Public Works staff visited all damaged buildings and homes and from the outside estimated the level of flooding.
- Did not enter houses, they just measured from the water marks on the outside of the house above the slab level.
- We believe this data to be accurate within a few inches in either direction.

Flooded by Type

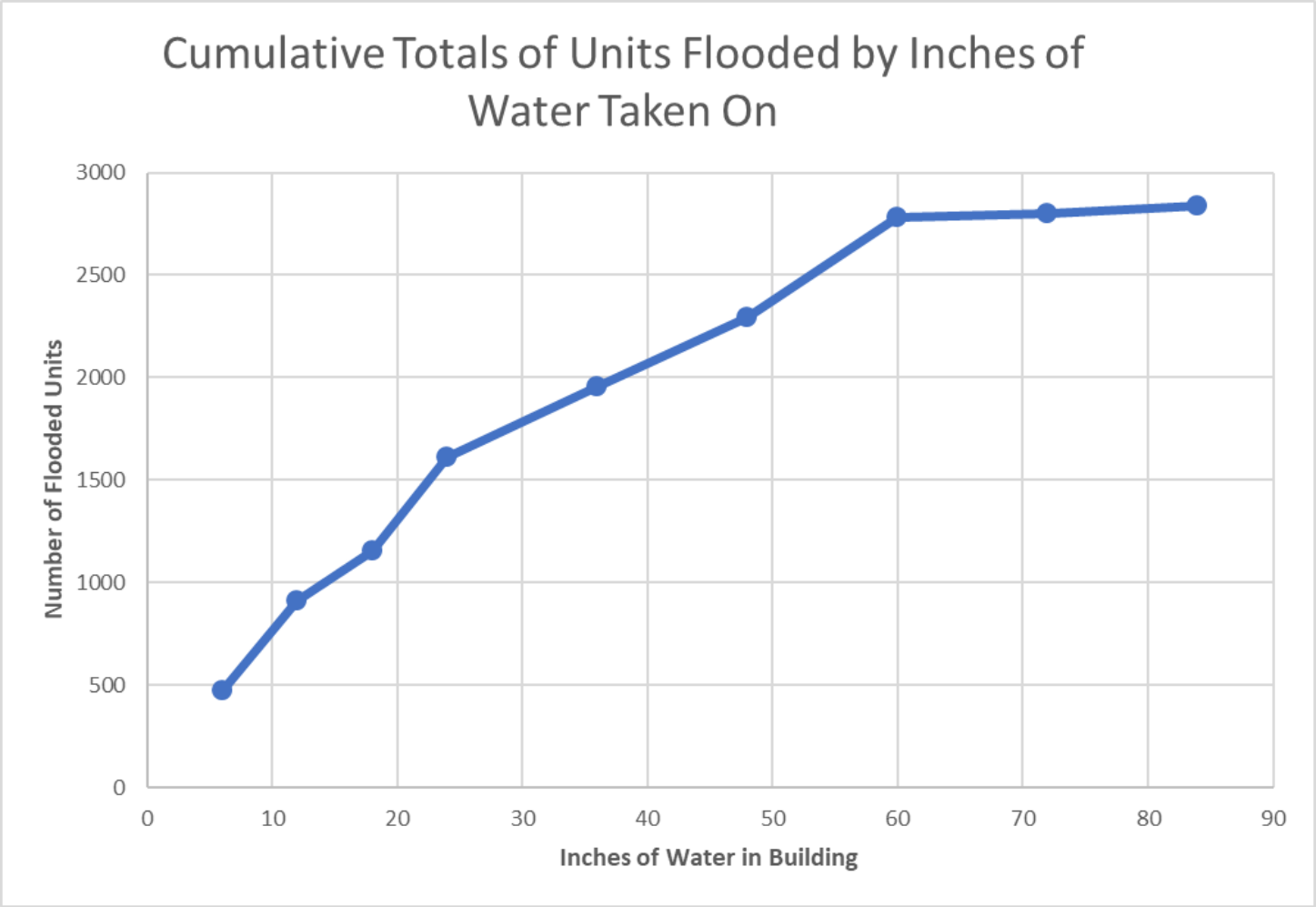
Damage Assessment	# Units Damaged	% of Units Damaged
Mobile Home	2	0%
Commercial	67	2%
Multi-Family	359	13%
Single Family Residential	2410	85%
Grand Total	2838	

Flooded by Damage Assessment

Damage Assessment	# Units Damaged	% of Units Damaged
AFFECTED	472	17%
MINOR	941	33%
MAJOR	1075	38%
DESTROYED	350	12%
Grand Total	2838	

Elevation of Flooding in Housing For Harvey

Unit Flooding Level	Galveston # of Units	Harris # of Units	TOTAL # of Units
Zero to 6 Inches	281	193	474
7 to 12 Inches	198	242	440
13 to 18 Inches	174	67	241
19 to 24 Inches	116	343	459
25 to 36 Inches	171	173	344
37 to 48 Inches	90	246	336
49 to 60 Inches	176	313	489
60 to 72 Inches	7	13	20
Above 72 Inches	33	2	35
Grand Total	1246	1592	2838



Modeling the Creek by Rice University

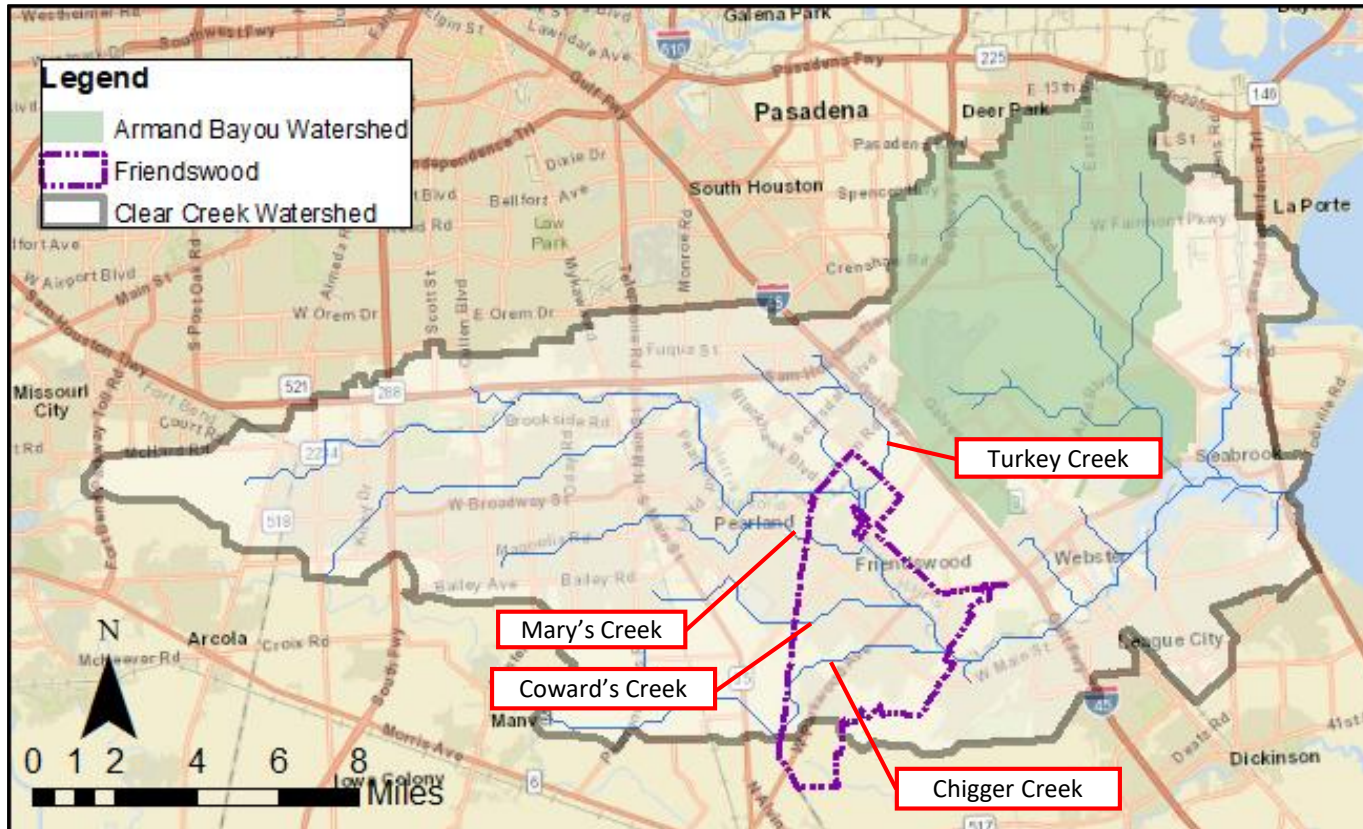
- Recall that we hired Dr. Bedient and his team from Rice University to model Clear Creek in Friendswood.
- His team has reported back with their model and they measured the effects of various proposed projects.
- We intend to keep the relationship with Dr. Bedient's work and have future items modeled.

Dr. Philip B. Bedient is the Herman Brown Professor of Engineering in **Civil and Environmental Engineering** at **Rice University**. He teaches and performs research in surface water hydrology and



flood prediction systems, and radar based flood alert. He has directed 60 research projects over the past 35 years, has written over 180 articles in journals and conference proceedings. He has worked on hydrologic problems including major floodplain studies, water quality assessments, and hydrologic modeling for a number of watersheds in Texas, Florida, and Louisiana. He has been actively involved in the area of hydrologic analysis for flood prediction and warning, and has developed a real-time flood alert system for the Texas Medical Center, based on the use of NEXRAD radar data. Dr. Bedient directs the **SSPEED Center** at Rice for Severe Storm Prediction, consisting of several universities in the Gulf Coast area, which has funding to address the impacts of Hurricane Ike in the Houston area. Both storm surge prediction, inland flooding, and long-term mitigation strategies are being studied with funding from the Houston Endowment. Dr. Bedient also is evaluating low impact development schemes with funding from the City of Houston.

Dr. Bedient's Work - Background of Study Area



Overall Study Area & Modeling Domain

- Clear Creek Watershed
- Armand Bayou Watershed

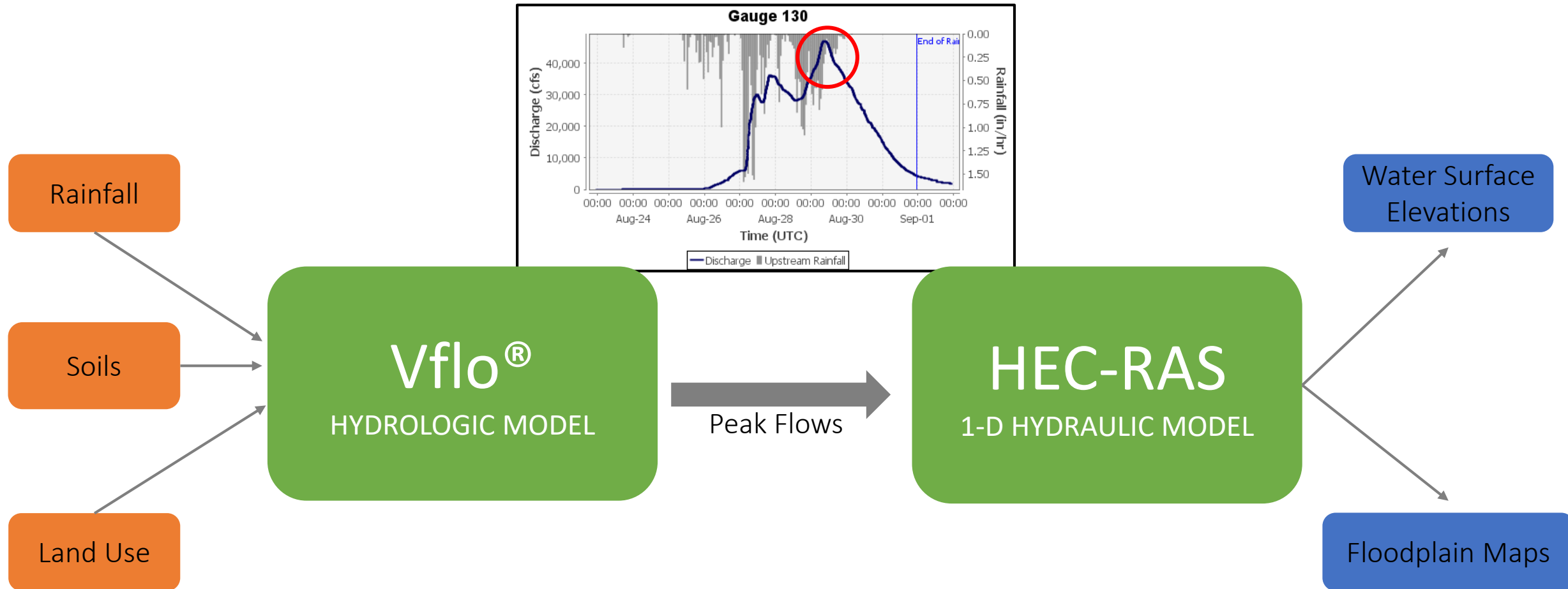
Study Focus: City of Friendswood

- Primarily residential and commercial development
- Flood drivers:
 - Low slopes
 - High imperviousness
 - Proximity to coast

What Was Evaluated

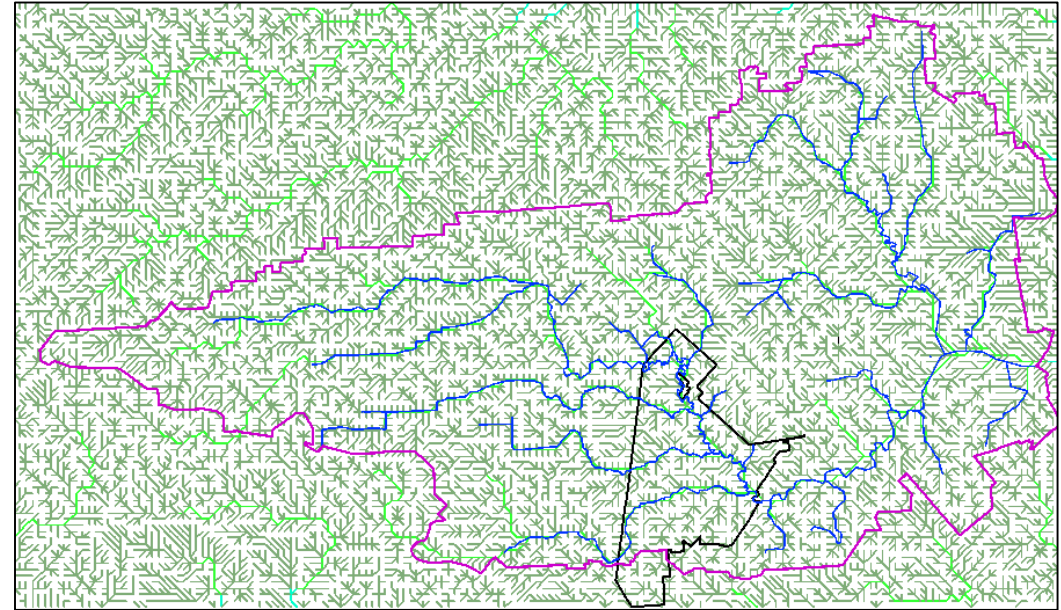
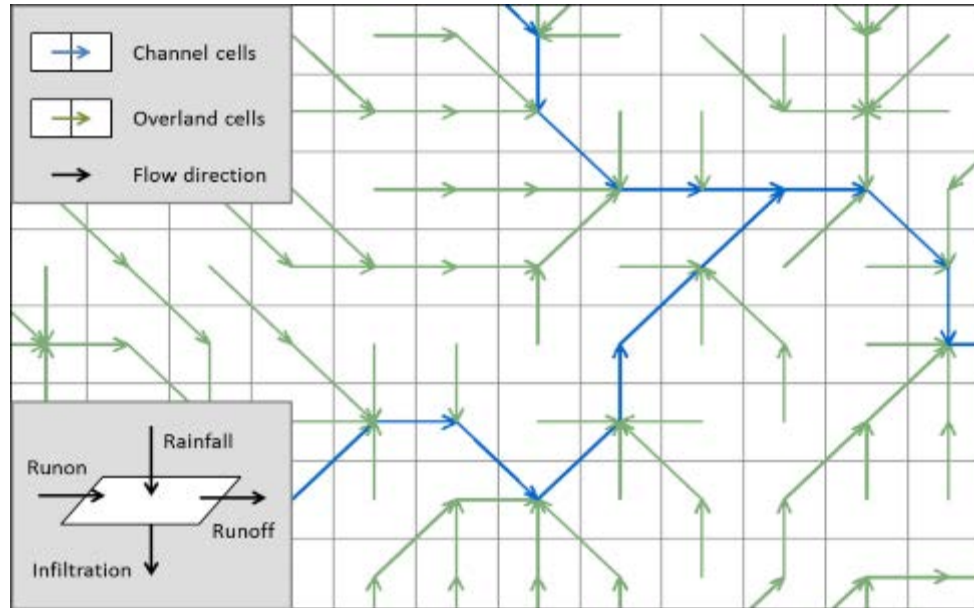
- Assess existing flood vulnerability with mathematical modeling.
- Validate the model against the observed flooding seen in Harvey.
- Explore a variety of mitigation scenarios:
 1. Bridge Raising
 2. De-snagging
 3. Channelization and Terracing
 4. Diversion at Outlet
 5. Proposed Detention Ponds
- Model multiple scenarios to determine best group

Modeling Framework



We do not intend to show all Dr. Bedient's data tonight however there is a 60 pages slide presentation that will be made public of his team's work and there will be a final report.

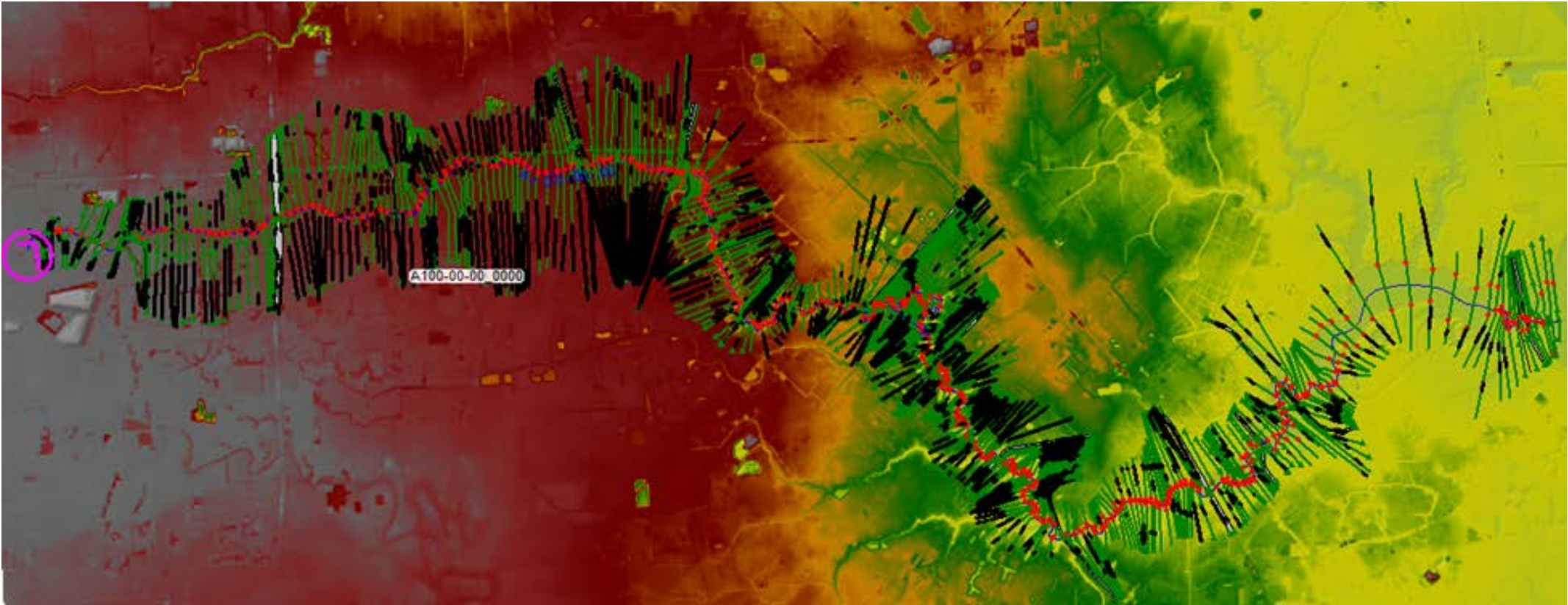
Distributed Hydrologic Model - Vflo®



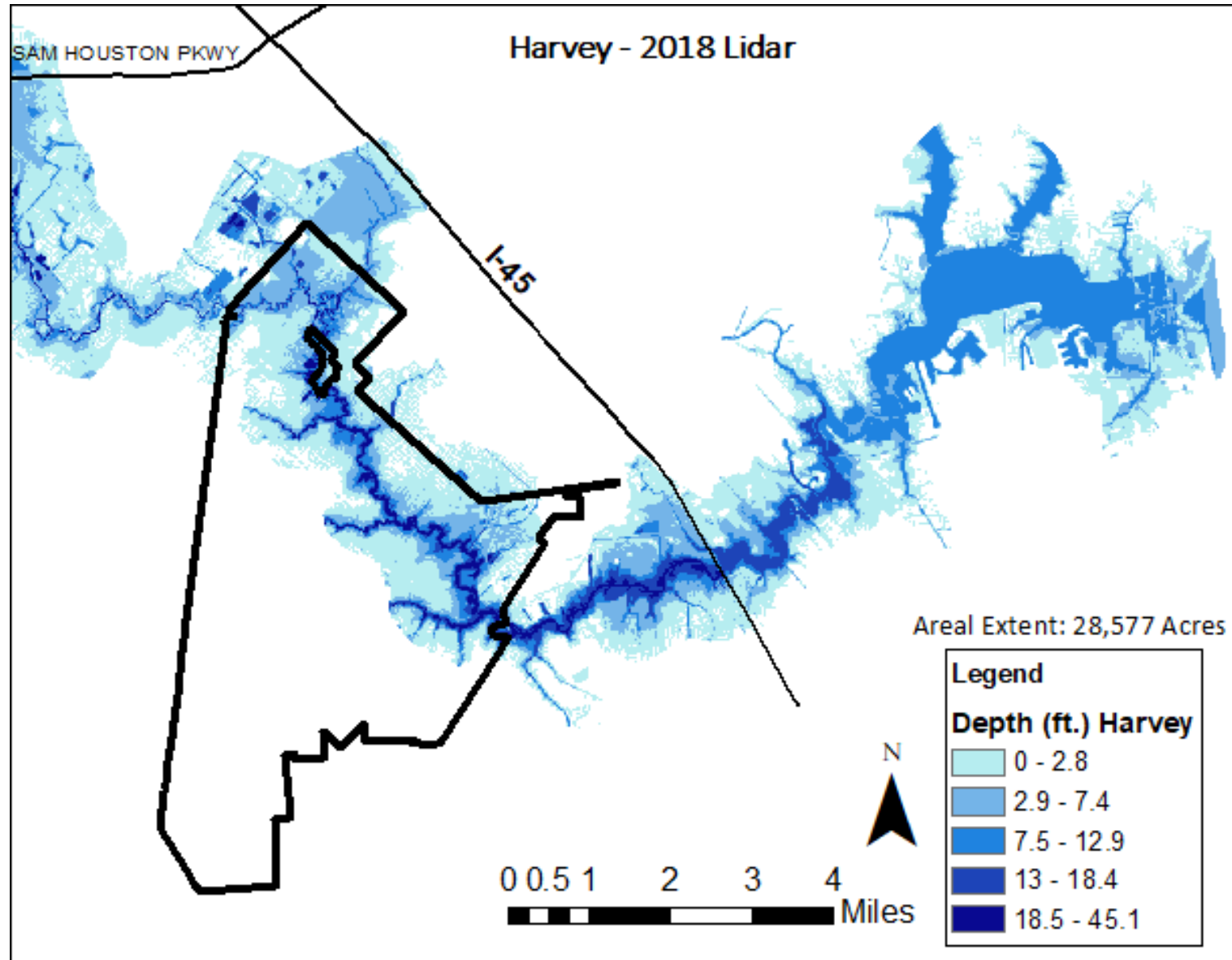
- Fully distributed physics-based hydrologic model developed by Vieux and Associates, Inc.
- Infiltration calculated by Green and Ampt Equation
- Uses Kinematic Wave to route runoff between overland grid cells and Modified Puls for channel cells
- Rainfall input can be rain gauge data or radar rainfall

Hydraulic Model – HEC-RAS

- Developed by the Hydrologic Engineering Center (HEC) of the US Army Corps of Engineers
- Used in various floodplain studies and dam breach analyses
- 1D steady-state is used as the basis for FEMA floodplains
- Existing model was obtained from HCFCD M3 system

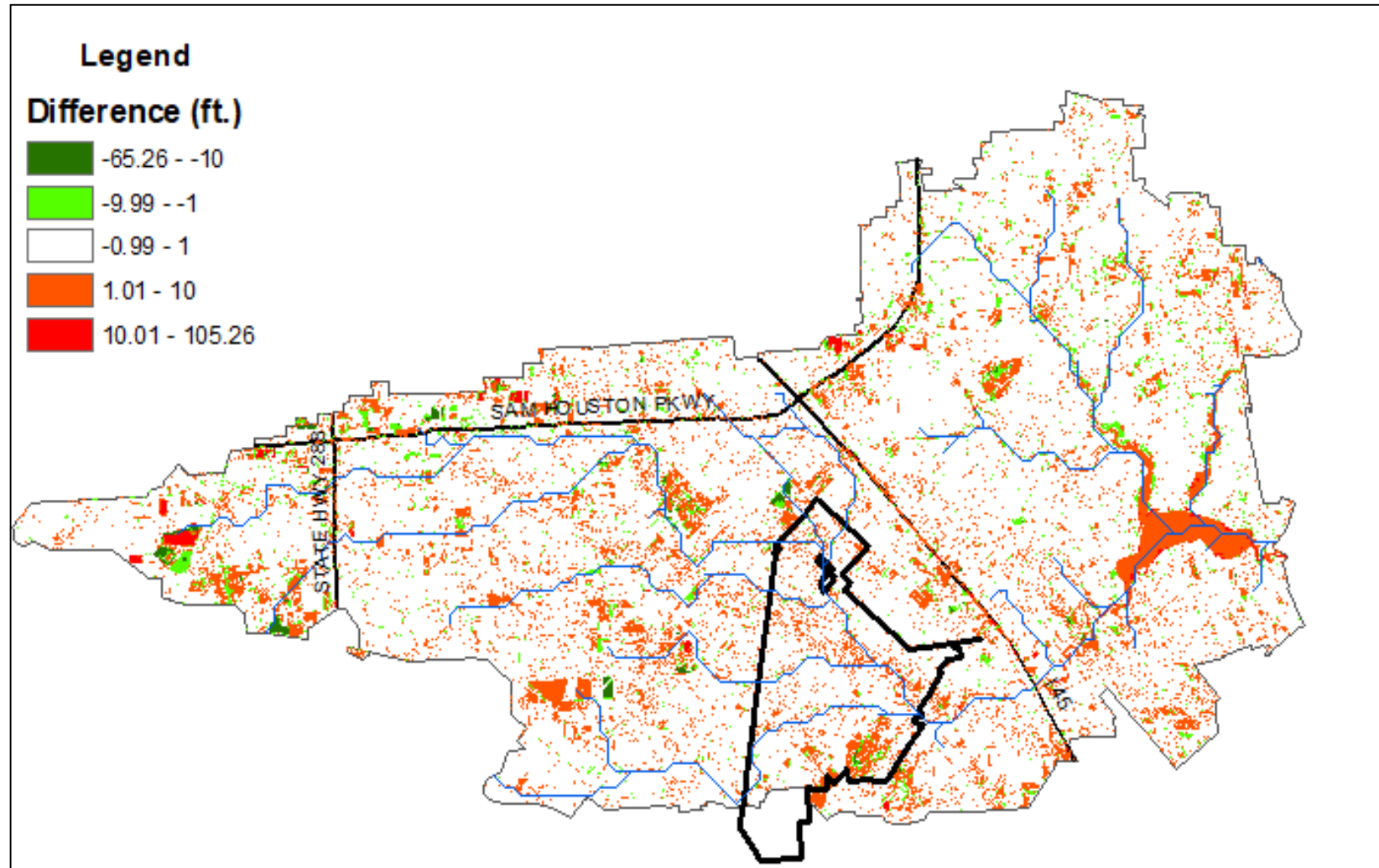


Additionally for Each Test Scenario Flood Plain Maps Can Be Predicted



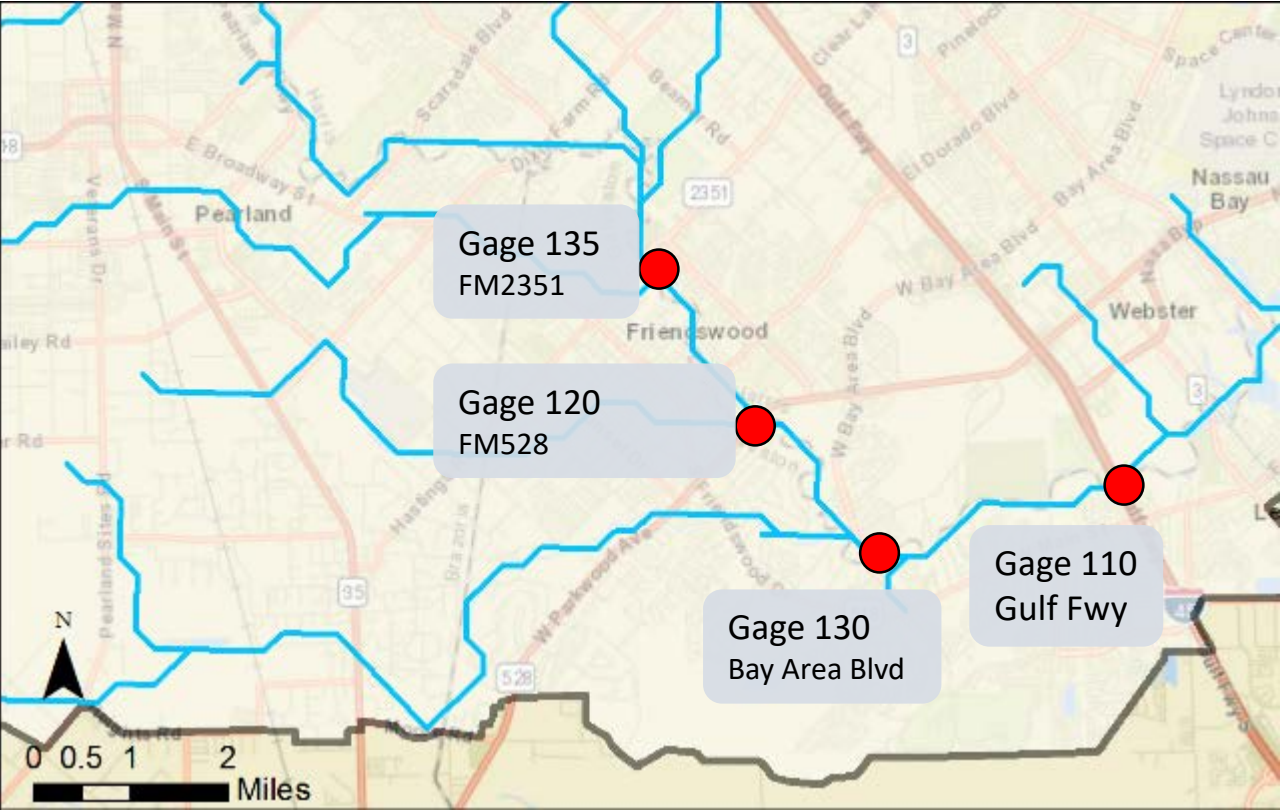
Changes in Land Use in Clear Creek Watershed Last Decade

This supports Team Observations and Recommendations Regarding Land Use, Permitting, and Watershed Changes



1. Changes in land use from 2008 to 2018 using LIDAR (Light Detection and Ranging).
2. Green shows decreases in surface elevation mostly from addition of detention ponds.
3. Orange and Red shows increases in land elevations due to land development.
4. White areas remain unchanged although some likely were changed earlier than 2008,

Model Validation – Peak Water Surface Elevation (WSEL) for Harvey

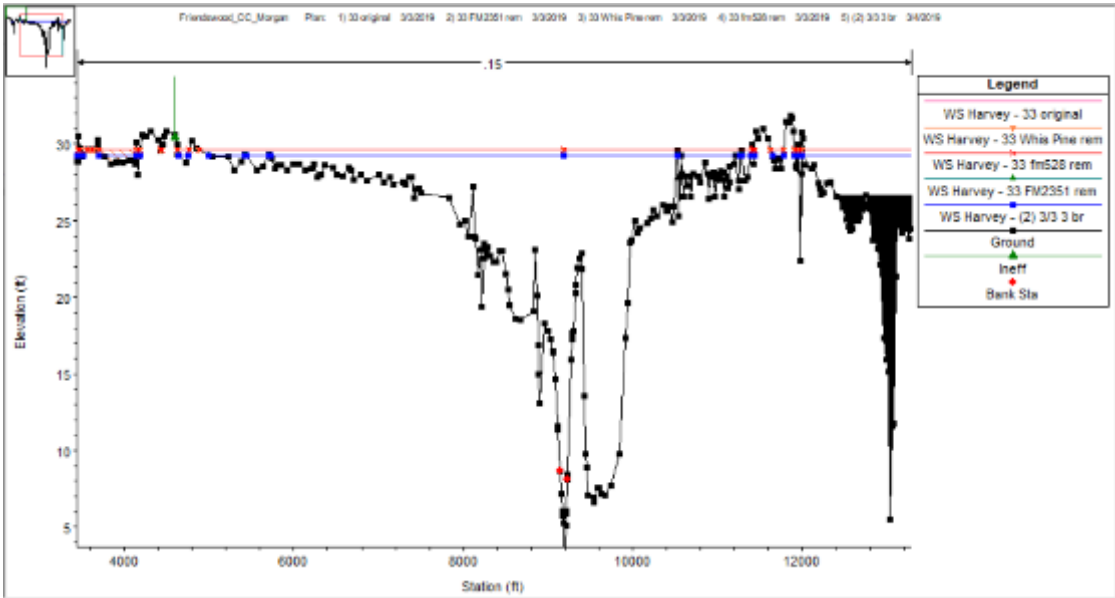
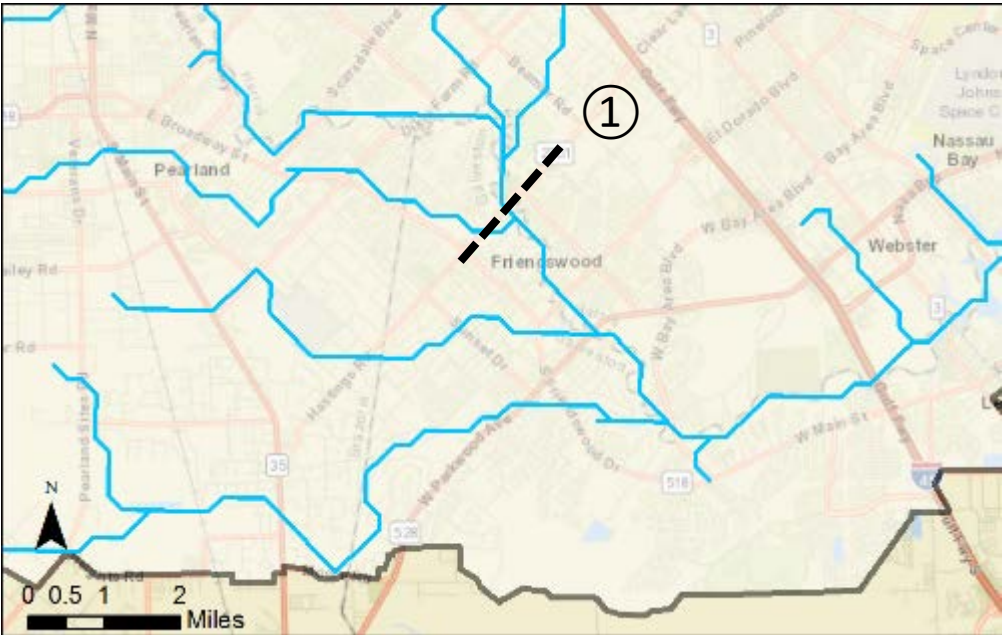


Measurement Location	Observed (HCFCF) WSEL	USGS High Water Mark	Modeled Peak WSEL	Difference
Gage 135	27.7	29.43	28.94	-0.46
Gage 120	24.2	-	24.50	0.30
Gage 130	21.1	-	21.35	0.69
Gage 110	16.6	-	16.48	0.04

*All listed values are in feet

Differences this close are considered outstanding in the field of flood modeling

An Example of the Output for Just One (Raising the FM 2351 Bridge)



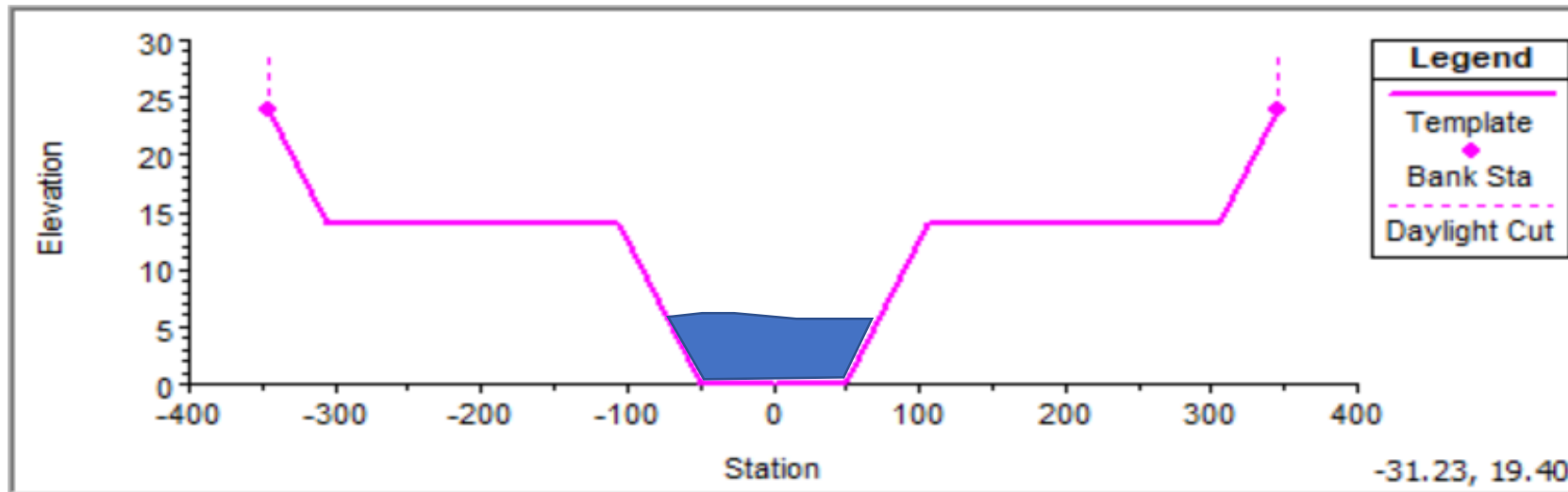
*Plot depicts upstream bridge raising scenario

In All Cases data was shown for the effect of the project for the historical 100 yr. storm, the new 100 year storm, and Harvey. Negative numbers indicate how much lower flooding would have been had the project been in place

Storm	Changes in Peak WSEL (ft)			
	FM 2351	Whispering Pines	FM 528	All 3 bridges
100 yr.	-1.69	-0.02	-0.04	-1.86
100 yr. (ATLAS 14)	-0.57	0	-0.01	-0.59
Harvey	-0.38	-0.01	-0.01	-0.38

Terracing - Method

- Based on the terracing design, extend a 200 ft terrace to both sides
- Channel meanders remain intact (i.e., no channel straightening)
- Grass terracing has a roughness coefficient of 0.04 on its terraces.



Bottom Width	Channel Depth	Side Slope (H:V)	Terracing Distance (each side)	Terracing Depth	Manning's n (channel)	Manning's n (grass terracing)
60 ft	14 ft	4	200 ft	10 ft	0.015	0.04

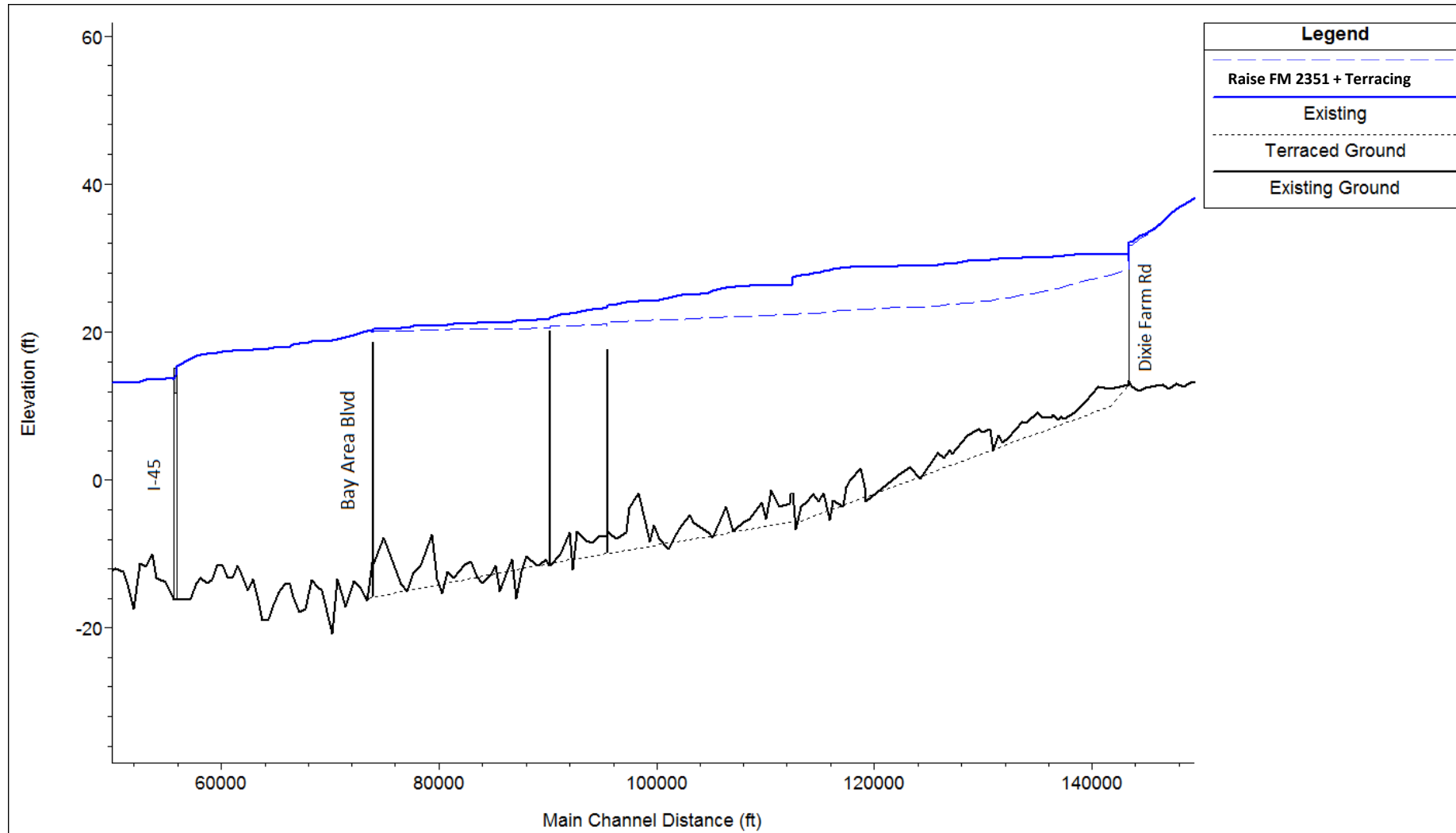
Summary of Scenario Individual Testing – Harvey

#	Watchpoint Location	Change in Peak WSEL (ft)					
		Three-Bridge Raising	Terracing	Bridge Rm + Terracing	De-Snag	50% Diversion	Detention
1	Upstream FM 2351 Bridge	-0.79	-3.78	-4.11	-0.86	-0.11	-0.03
2	Downstream FM 2351 Bridge	-0.09	-3.38	-3.37	-1.47	-0.15	-0.04
3	Upstream Whispering Pines Bridge	-0.20	-1.83	-1.83	-0.87	-0.38	-0.04
4	Downstream Whispering Pines Bridge	-0.19	-1.56	-1.56	-0.75	-0.47	-0.04
5	Upstream FM 528 Bridge	-0.19	-1.10	-1.10	-0.44	-0.74	-0.05
6	Downstream FM 528 Bridge	0.00	-0.90	-0.90	-0.37	-1.03	-0.06
7	Downstream Bay Area Blvd Bridge	0.00	-0.09	-0.09	0.00	-2.9	-0.09
8	Downstream I-45 Bridge	0.00	0.00	0.00	0.00	-3.62	-0.06
9	Clear Lake	0.00	0.00	0.00	0.00	-1.52	-0.04

Dr. Bedient's Team Calculated the Group of Projects That Would Have the Biggest Effect.

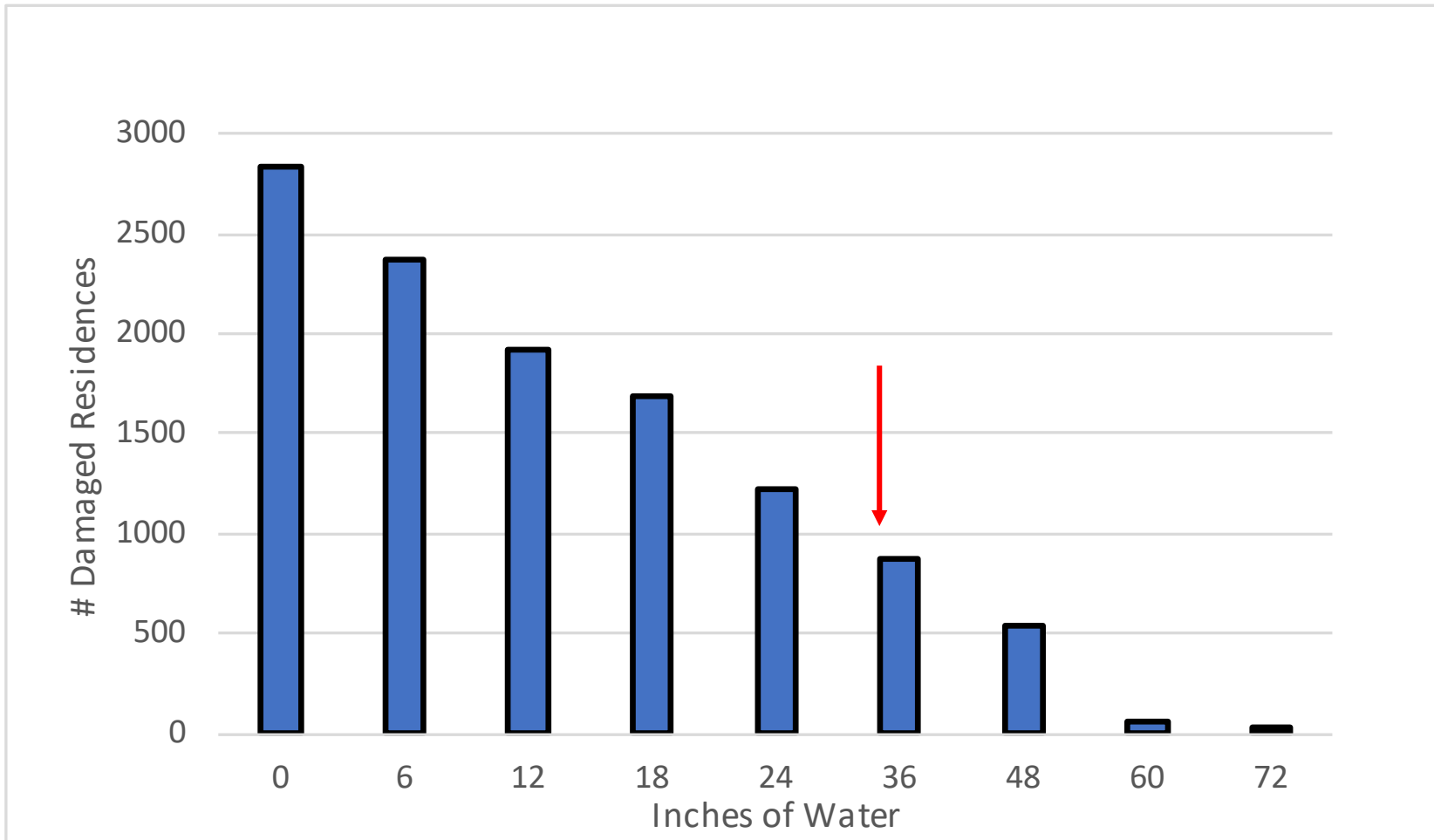
- ✓ You can't just add the numbers on the previous page because different projects interact with each other in both positive and negative ways
- ✓ It turns out that raising the FM 2351, de-snagging and terracing together have the greatest positive impact.
- ✓ Importantly those same projects don't negatively effect League City.
- ✓ Combination scenario decreases up to ~3.5 ft of water at Friendswood during Harvey.
 - The effect is more pronounced upstream of Whispering Pines and begins to diminish as you move down stream.
 - Land availability downstream of FM 528 is greater so increasing the terracing width there would likely increase the effect between FM 528 and Bay Area Blvd
 - Bedient's will model this in the future

Effect of Raising FM 2351 Bridge and Terracing on Harvey Flood Levels



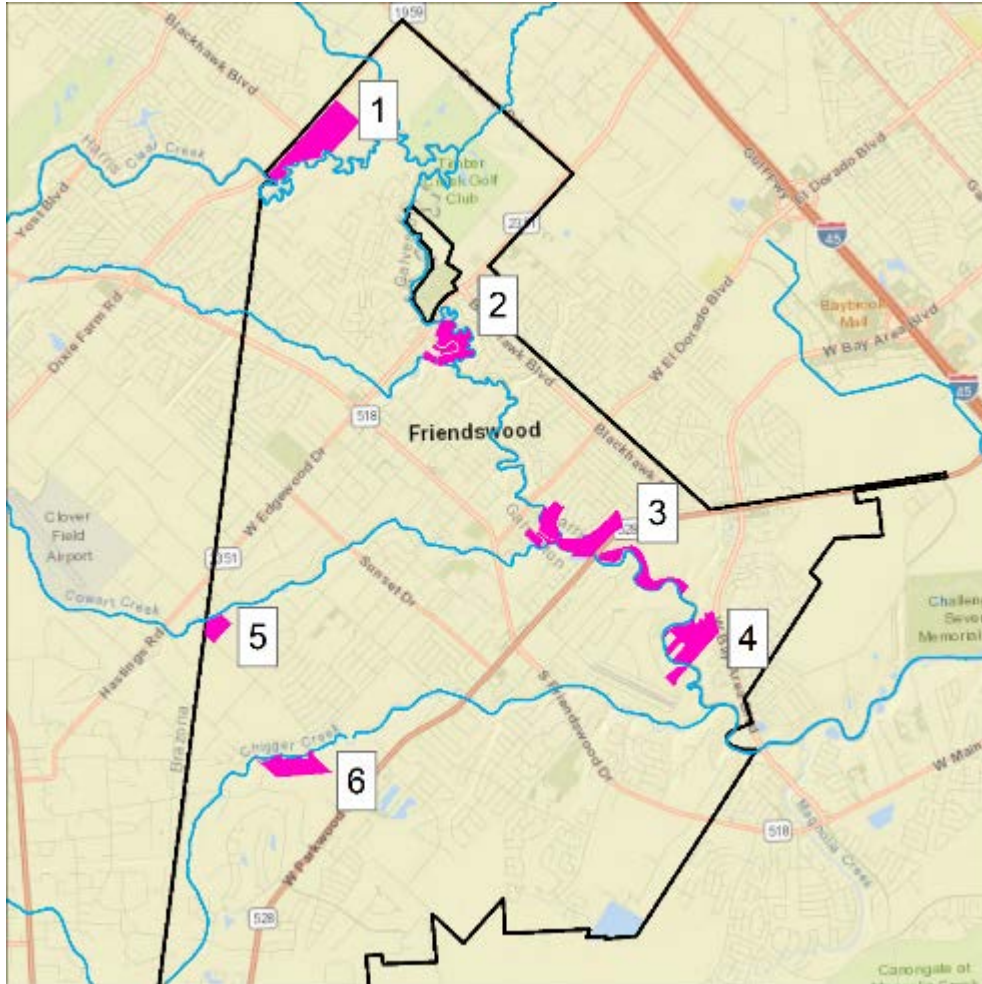
- As Noted increasing terracing width downstream of FM 528 will increase positive effect
- Current I45 Bridge was an issue in Harvey. The current work raises the Bridge and Feeder Bridges and should help water move out better

Reduction as Modeled through Friendswood Would Have the Following Effect



- Assuming Best Project Case was completed before Harvey.
- Using locations of where the houses flooded and possible reduction basis modelling.
- We would have seen 850 houses flood instead of 2830.
- And the houses that did flood
 - 250 of them would have gotten 6" of water or less
 - 550 of them would have gotten between 6" to 2 feet.
- **Please note further work can define this better almost to the house.**

We did Ask For Modeling of 6 Proposed Detention Ponds

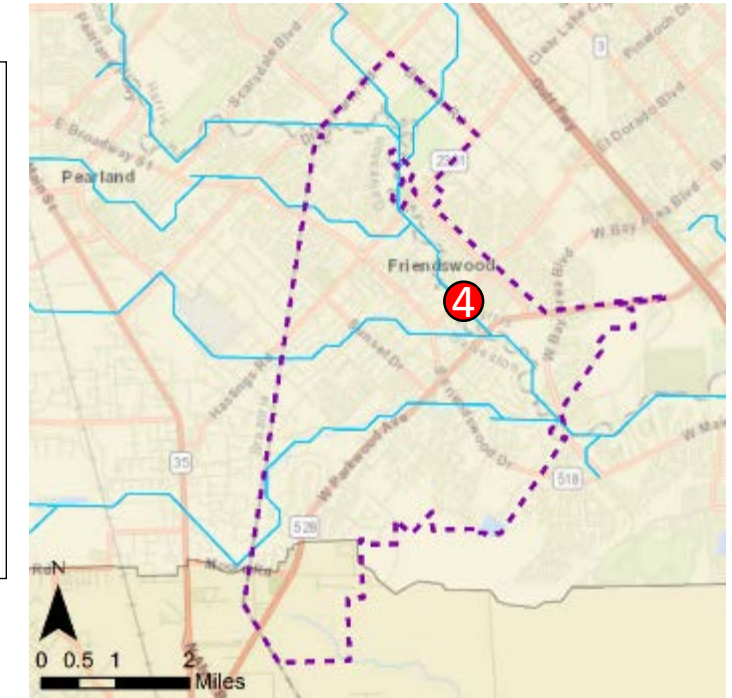
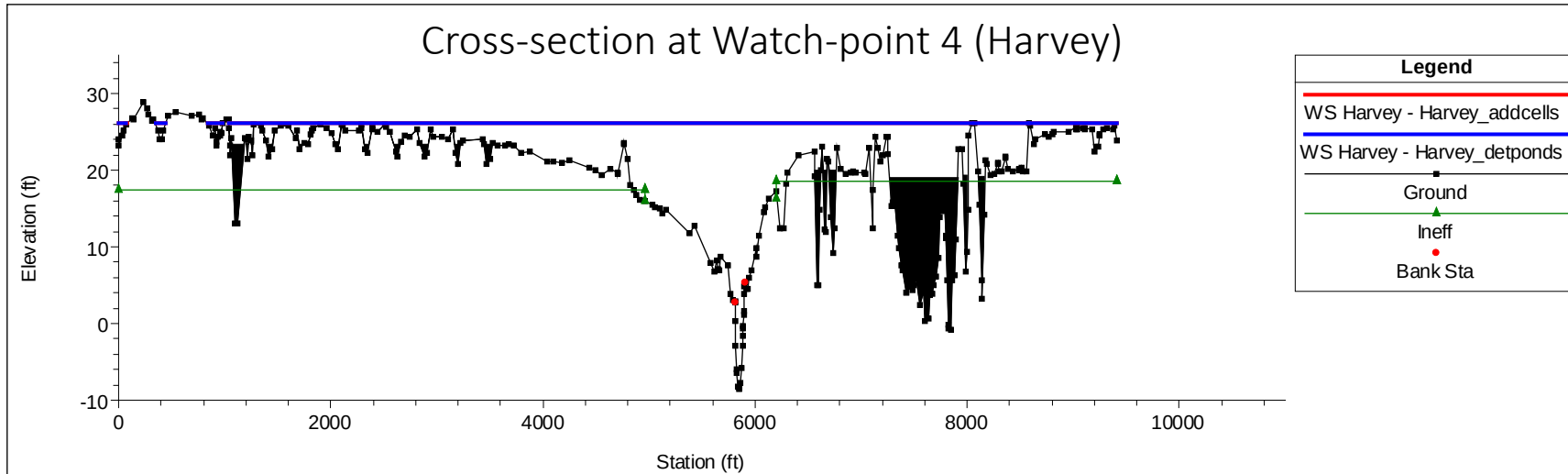


Six proposed ponds were modeled simultaneously in Vflo using GIS shapefiles provided.

Pond #	Designed Acreage
1	73.0
2	36.5
3	64.2
4	53.1
5	21.2
6	33.3

*When modeling, drainage areas into ponds were assumed to be about 3x the designed acreage.

As Example Detention Pond at Whispering Pines



Water Elevation Changes Due to Detention – 100 Yr. Storm

Location	WSEL change (ft)
FM 2351	-0.01
Whispering Pines	-0.02
FM 528	-0.05
Bay Area Blvd.	-0.14
I-45	-0.20
Clear Lake	-0.15

- Changes are minimal.
- In Harvey Storm even less held due to filling up early.
- To have an affect in Harvey would need a 4500 acre pond somewhere upstream.

Diversion

Modeled diverting water out of Clear Creek at Bay Area Bridge and finding another path to the Gulf other than going down and out Clear Lake.

- The positive effects occur mainly near and below the diversion point.
- Further modelling needed to better define
- Does require moving the water across other watersheds
- Significant land acquisition needed, little of this actually in Friendswood.
- Project cost would exceed \$300M and would have to be done by USACE.
- Friendswood's portion of cost would be less than 5%.
- Other cities and agencies would control this.
- There are other diversion type projects that need to be modeled and we will be asking Dr. Bedient's group to do these
- Friendswood should remain interested in this and if the project was triggered by other agencies we would want to support

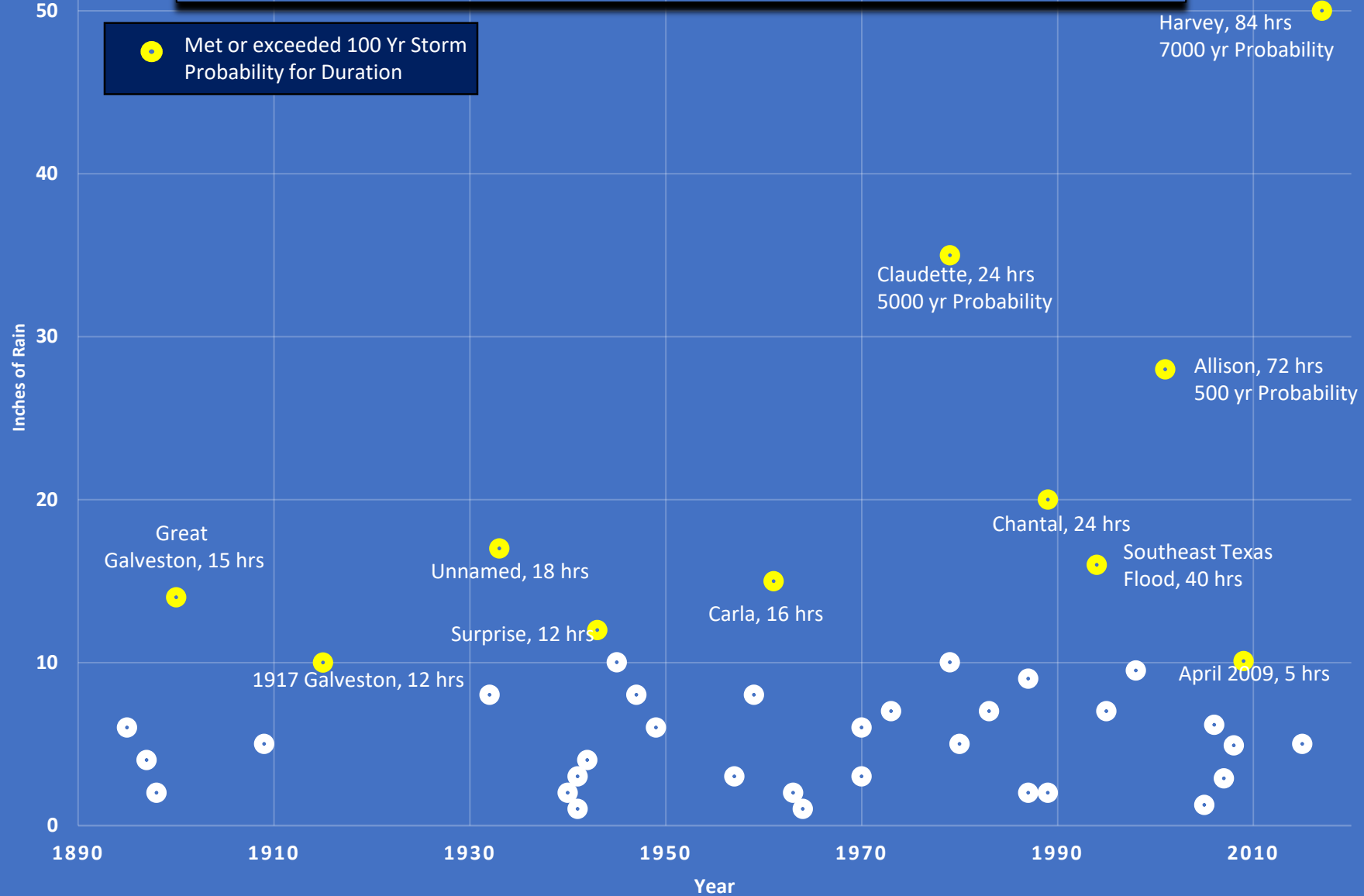
	WSEL Change (ft), Diversion Pt at Bay Area Blvd		
Location	10% Div	25% Div	50% Div
FM 2351	-0.02	-0.04	-0.07
Whispering Pines	-0.08	-0.18	-0.31
FM 528	-0.17	-0.37	-0.64
Bay Area Blvd.	-0.65	-1.54	-2.77
I-45	-0.68	-1.63	-3.03
Clear Lake	-0.40	-0.65	-0.67

What is an Observation

- It is a conclusion the team has reached basis its research, much of which has been presented to council already, and is supported by a majority of our team.
- Each Observation has multiple premises that help us reach the conclusion
- Observations can be in the area of mitigation projects, costs, implementation, political concerns, safety, and environmental....and more.
- To change an observation to something better one needs to attack the premises.
- From the Observations and Premises we have formulated recommendations.

Please Note: As we go through these we sometimes show reminder data but in most cases we assumed Council remembers things we have shown in the past. If something is confusing please ask.

HISTORICAL RAINFALL EVENTS FRIENDSWOOD, INCHES FELL ON CITY ADJUSTED FOR 2018 ATLAS 14 CHANGES



Observation 1

Friendswood experiences catastrophic flooding when the watershed receives rainstorms of 24 inches or more in less than two days.

Why Do We Say This?

- A. From previous chart....such storms are occurring more frequently than the published probabilities of 0.2% (500 yr.) in any given year.
- B. There have been three major storms (Claudette (1979), Allison (2001) and Harvey (2017) that have occurred in the last 40 years (Statistically at a 7.5% per year likelihood.)
- C. Storms of lesser severity can cause localized flooding but do not create the wholesale flooding of significant portions of the city.
- D. Further development of the watershed will exacerbate the effects of such storms or will cause smaller storms to have the same impact. Note the changes just in the last decade.

Observation 2

In Friendswood, and all other areas, flooding of Clear Creek occurs because enough water cannot either be stored upstream or drain fast enough to the ocean during storms as shown in Observation 1.

Why Do We Say This?

- A. Methods to reduce flooding:
 - 1) Reduce the amount of water entering Clear Creek in Friendswood during storms (DS)
 - 2) Increase the ability to flow water out of Clear Creek during storms (R).
- B. About 300,000 acre-feet of water came to Friendswood in Harvey. ~2/3 that in Allison and Claudette.
- C. Acquisition of property will be required to implement these options.
- D. In Harvey, tributaries in Friendswood were not restrictions but backed up when they couldn't exit to Clear Creek.

Observation 3

Over the last 80 years, the Clear Creek watershed has been significantly changed by humans for land use. This has altered the physics of the flow.

Why Do We Say This?

- A. Portions were straightened and widened to reclaim wetlands for farm use and later for residential areas.
- B. Some areas have not been altered and retain their natural unimproved watercourse such as we have in Friendswood.
- C. Clear Lake, is extensively developed at the outlets of the Clear Creek watershed to Galveston Bay.
- D. Again note the Lidar changes in just the last 10 years.

Observation 4

There are multiple jurisdictions in the Clear Creek watershed that pass water into Clear Creek without any further responsibility.

Why Do We Say This?

- A. The land mass of the jurisdictions that drain to Clear Creek in Friendswood is seven times the size of Friendswood.
- B. Jurisdictions generally apply a 1% storm criteria for land use which are not the type of storms that currently cause wholesale flooding. Some jurisdictions are beginning to make changes.
- C. There is no overall governing body although the current Clear Creek Watershed Steering Team has an advisory role.

Observation 5

Currently the City of Friendswood considers their role is to move water effectively from property owner boundaries to the nearest creek or drainage waterway to Clear Creek.

Why Do We Say This?

- A. This is consistent with other jurisdictions in the watershed.
- B. To the extent that the infrastructure exists.
- C. There are some areas or pockets of the city that flood in big storms, that shouldn't and may have a local drainage issue.

Observation 6

The City of Friendswood's general fund is inadequate to fund projects necessary to mitigate flooding of Clear Creek from the storms in question.

Why Do We Say This?

- A. The city is hampered by not having capital funds to support shared funding or pre-funding and payback projects.
- B. The city's yearly general fund is ~\$25M whereas mitigation projects could be an order of magnitude larger.
- C. Funding will be required from other sources and the city will be required to aggressively pursue this funding and be vocal about how funds are disbursed

Observation 7

Cities and areas that are successful in advancing flooding projects nationwide have built in a structure that ensures a Constancy of Purpose to create a long term strategy..

Why Do We Say This?

A. Review HCFCD, Rochester, MN, others studied, Cedar Rapids, Iowa, New Orleans...ect.

B. This is a deceptively important observation.

Observation 8

There are multiple Harvey related funding streams available (Federal, State, County). Some agencies (USACE, Harris County) have already been funded and projects in early stages of implementation. The impacts on Friendswood of these projects has not be adequately demonstrated to the Sub-Committee.

Why Do We Say This?

- A. Harris County had received direct Federal Funds. Other counties, including Galveston, have not received direct funds yet. It is currently not clear how the money will be shared.
- B. Friendswood has applied for Federal and State funding for property buy-outs but some have not been approved and some are pending.
- C. Projects are scheduled on areas like upstream Clear Creek in Pearland, Mud Gully, and Turkey Creek.
- D. Simulations results shared with the sub-committee were for 1% storms only. Sub-committee has requested USACE perform simulations on storms like Harvey but have not received the information yet.

Caveats of Observations

The Team Stayed within its Charter to examine flooding and fixes. There are a number of areas not addressed but some of the important ones are:

- A. Projects might have environmental impacts that will have to be addressed.
- B. Projects such as retention, detention, and terracing of Clear Creek may afford opportunities to create appealing benefits such as parks, sport fields, nature trails, etc.
 - The Sub-Team did not define the cost of this
 - This could be part of the presentation to voters regarding the bond

Recommendations

- Our recommendations are based on the data we collected and the observations we have shown both tonight and in previous report-outs to the City Council of Friendswood.
- Some recommendations attack multiple observations.
- We intend for all recommendations to be actionable by the Friendswood City Council if it so chooses.

Recommendation 1

The City of Friendswood City Council needs to clearly state, through a resolution, that the work of the sub-committee generates a cause for action to mitigate rainstorm flood events.

Why?

- A. Does the City Council of Friendswood agree that catastrophic flooding rainstorm events give cause for action? The back-up has been provided in all sub-committee presentations.
- B. A resolution would demonstrate commitment.
- C. The sub-committee can recommend wording but we believe the council can generate the wording they prefer

Recommendation 2

The City of Friendswood City Council accepts that there are a number of mitigation projects that need to be pursued to completion to significantly reduce flooding in Friendswood. These all involve the main stem of Clear Creek.

Why?

- A. The main stem of the creek is the problem. Tributaries flood by backing up.
- B. The methods to reduce flooding are either store more water, drain it faster, or remove structures from properties that flood.
- C. The mitigation is expensive and will take time to acquire matching funds, perform engineering, acquire rights-of-way, and implement the projects

Recommendation 3

Go to the Friendswood voters with a bond vote that would provide a cost share of \$32M in projects over the next 15 years. This money can ONLY be spent on drainage projects associated with the main channel of Clear Creek.

Why?

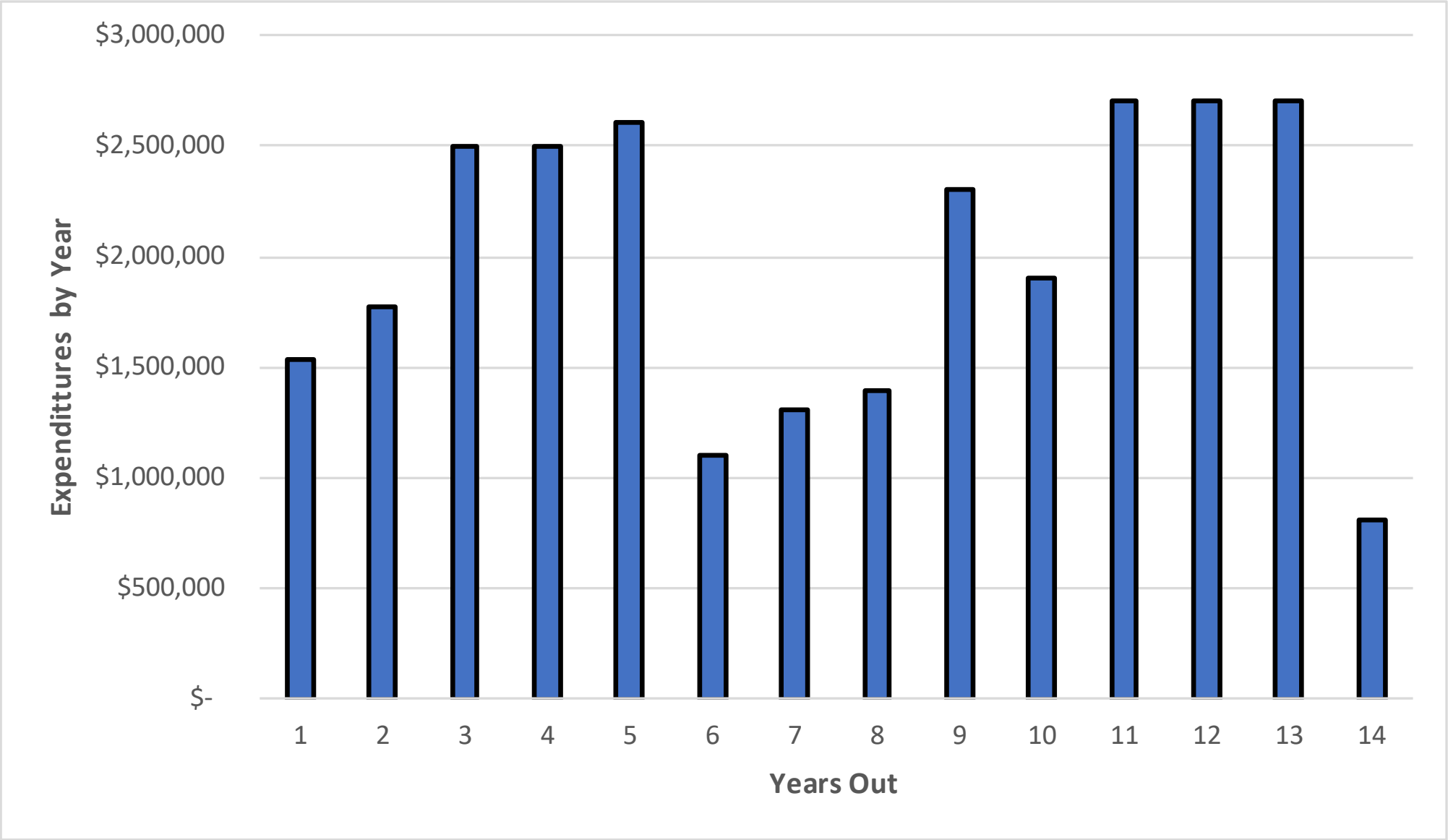
- A. The cost to complete the needed projects is much higher than the \$32M, but this amount allows us to leverage other funds available.
- B. Without having money to spend on flood projects Friendswood will be frozen out of consideration for many direct impact projects.
- C. Amount determined by the number of projects, their positive effects, their costs, expected percentage Friendswood would have to contribute and the time frame.
- D. Determine the net impact on taxes for bonds drawing over that period of time.
- E. Rely on Drainage districts to continue to work on tributaries.

Estimated Costs of Projects with the Best Benefit

#	Mitigation Tyes	Details	TOTAL COST	COF %	Cost to COF	Years to Complete
1	De-Snagging	200 ft	\$ 3,000,000	10%	\$ 300,000	2
2	Bridge/Road Raising	FM 2351 - East Edgewood Drive	\$ 20,000,000	10%	\$ 2,000,000	10
3	Bridge/Road Raising	FM 528 - East Parkwood Ave	\$ 20,000,000	10%	\$ 2,000,000	10
4	Terracing	Dixie Farm Road to FM 2351	\$ 28,000,000	20%	\$ 5,600,000	15
5	Terracing	FM 2351 to Whispering Pines Ave	\$ 22,000,000	20%	\$ 4,400,000	15
6	Terracing	Whispering Pines Ave to FM 528	\$ 10,000,000	20%	\$ 2,000,000	15
7	Terracing	FM 528 to West Bay Area Blvd	\$ 30,000,000	20%	\$ 6,000,000	15
8	Buy Outs	Associated with all Projects	\$ 30,000,000	25%	\$ 7,500,000	5
9	Engineering	Engineering and environmental Impact Studies	\$ 10,000,000	20%	\$ 2,000,000	4
		TOTAL -->	\$ 173,000,000	18%	\$ 31,800,000	

1. Costs based on engineering estimates for similar work.
2. While Dr. Bedient's work showed the FM2351 Bridge that while raising has a bigger impact, we believe for public safety two bridges should be elevated. But also note the terracing should reduce the flood heights which also help bridges stay passable

Estimated Spend Rate for Projects Listed



Recommendation 4

Hire a long term Clear Creek Watershed Drainage coordinator for in the City of Friendswood to create a long term strategy and a Constancy of Purpose

Why?

- A. Experience shows with government to ensure something gets done and to have a long term approach it has to be one person's clear job and that they are held accountable for progress.
- B. City Manager is responsible for defining the job description, hiring, and managing the performance toward the long term goals.
- C. The City Council should be very active in the progress of this work and expect routine reporting in Council meetings
- D. Needs to have a budget to successfully complete the project and continues the sub-committee work on mathematical simulations.
- E. Responsible for Clear Creek drainage project definition, spending, grant writing, interaction with other jurisdictions, and interaction with the public. .
- F. Monitors projects on Clear Creek and requires simulations that show the effect of these projects during storms sizes that flood Friendswood.

Recommendation 5

The City of Friendswood should review and change its current permitting criteria regarding drainage to reflect the realities of the types of storms that occur here.

Why?

- A. Design criteria for new construction at the 1% storm level are inadequate.
- B. Optimally this should be done in conjunction with other municipalities up and down the creek.
- C. Current existing structures would be grandfathered unless substantially altered.

Recommendation 6

The acquisition of properties will be required to adapt Clear Creek to meet the demand for drainage. The City of Friendswood will need to have the means to acquire properties for drainage projects.

Why?

- A. This is included in our calculations for the Bond needs
- B. Quick response to purchase damaged properties after a flood event
- C. Purchase of properties as they go on the market at any time.
- D. Unsolicited offers.
- E. Privately owned properties cannot be used for drainage projects.

Recommendation 7

The City of Friendswood needs to be proactive regarding the management of the flow of water down Clear Creek. The City of Friendswood should take the leadership role in organizing municipalities along Clear Creek to create a common purpose in fixing the creek.

Why?

- A. It is our citizens who flood.
- B. There are over a half dozen agencies involved in Clear Creek. Recognize the responsibilities of other entities and need to increase our presence to support these groups.
- C. The current master plan for the watershed needs improvement.
- D. Solutions have to involve land use and the larger cities on the watershed control this.
- E. As a city council reach out to other cities to initiate communications. Initial discussions with League City leadership indicate they are of a like mind on this.

Recommendation 8

There are currently several efforts to restructure watershed management being contemplated at the county and state level. The City Council needs to be active and participating in this and determining if these efforts will be beneficial to Friendswood and resisted if not.

Why?

- A. Generating watershed control systems can be hugely helpful so long as they are focused on the entire watershed, they are governed fairly, and they are resourced properly.
- B. Care should be given to ensure that changes do not reduce effective current drainage system.
- C. Until the Drainage Coordinator job is filled, Council should determine a method to evaluate changes coming from either the counties, or state.

Recommendation 9

The focus should entirely be toward the future. There is no justification to seek redress directed at upstream or downstream entities for the changes that have occurred along Clear Creek.

Why?

- A. Many of the significant alterations of the Creek were done a long time ago and continue to this day and will continue in the future.
- B. All municipalities comply with current laws and ordinances.
- C. State and Federal law would not support being successful in legal action
- D. Friendswood too has allowed development, including houses built right on the creek, that have also contributed to the problem.

Recommendation 10

There are small areas of Friendswood that flooded during Harvey that were not caused by Clear Creek. The city should be directed to research these and propose fixes.

Why?

- A. May require funding not part of bond capital which is dedicated to Clear Creek's main stem.
- B. This may require general funds to budget for and to perform the repairs.

Recommendation 11

For both flooding and safety during flooding events, greatly increase the monitoring of creeks in Friendswood. There are blind spots on Clear Creek and tributaries in Friendswood regarding inundation levels and rain gauges. This affects safety and the ability to give first alerts to issues. Add more of these in critical areas.

Why?

- A. Work with the flood control districts to increase the number in critical areas.
- B. These instruments can give valuable real time data in storms that can trigger local or large evacuations and later rescue work.
- C. The information is valuable in later analysis of what occurred during storms of all levels.
- D. Consider adding flow rate sensors and video monitoring at critical spots.
- E. All this information should be available to the Friendswood Emergency Operations Command Center and available to the public in real time.

Summary of Actions for Council Needed Tonight

1. **The Sub-Team should present information to the Bond Citizen's Advisory team about the bond portions of the recommendations.**
 - A. This should be done soon!
 - B. Do we have Council's permission to do this?
 - C. If so, what instructions should be relayed to the Advisory team about this information and their ability to interact with it?
2. **The Drainage Sub-Committee as met its original charter to make recommendations back to the city council that are fact-based only and include project types, costs, societal impacts, and political obstacles.**
 - Originally expected to make recommendations back within 6 months.....it took us 8 months! But at least we were faster than the Mueller report!
 - Will be producing a written report capturing all the information gained for posterity.
 - There is on-going work with Dr. Bedient's group to further define project effects and this will continue for some time. Options:
 - Staff could keep this moving.
 - Council could re-charter the current team to do this work
 - Council could charter a new sub-committee to continue this work

Summary of Actions Needed in the Next Few Months

- Recommendation 1 Does Council agree with the overall findings and recommendations and will they generate a resolution to that?
- Do they support the Bond numbers for Drainage?
- Develop plan and budgeting for Clear Creek Drainage coordinator
- To city staff and P&Z on whether to review permitting requirements in light of Subcommittee data.
- Focus for staff on buy out programs which will be taken over by drainage coordinator.
- Have already had discussions with League City leadership and they are interested in linking up with Friendswood regarding Clear Creek.
- Ask staff to keep council up-to-date on watershed bills in the legislature
- Ask staff to create a plan and budget for 2019-20 for isolated drainage area repairs.
- Work with Drainage districts to submit plan and cost sharing for improvements to measurement of the creek.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: 05/06/2019

Date Submitted: 04/23/2019

Dept. Clearances: MR

Prepared by: Matthew Riley

Subject: TMLDA Achievement of Library Excellence Award

Originating Department: Library

City Attorney Review: N/A

Proceeding: Special Recognition and Acknowledgement

Degree of importance: Critical ☐ Significant X ☒ Elective ☐

Expenditure Required: N/A

Amount Budgeted: N/A

Appropriation Required: N/A

Source of Funds: N/A

FINANCE APPROVAL: N/A

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

The Friendswood Public Library has received the 2018 Achievement of Library Excellence Award from the Texas Municipal Library Directors Association.

Rebecca Pool, Library Director at the Deer Park Public Library and past President of TMLDA will present the award.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

For the fifth consecutive year, the Friendswood Public Library has been honored with the Achievement of Library Excellence Award from the Texas Municipal Library Directors Association. The award recognizes library staff for their commitment to service and educational programming in our community.

Only 51 libraries from among the more than 548 public libraries statewide made the cut for this prestigious honor in 2018. The award is given annually to libraries that demonstrate service excellence in 10 areas: Summer Reading Program, Underserved Populations, Enhanced Service, Marketing and Publicity, Digital Inclusion, Cultural and Educational Programming for Adults, Literacy Support, Collaboration, Training, and Workforce Development.

The Friendswood Public Library kept busy during Fiscal Year 18, assisting 186,169 customers, circulating 348,554 books, magazines, audiobooks, DVDs, CDs and more.

Hundreds of events and programs annually focused on literacy, computer skills, arts and crafts, and storytelling were provided to 33,806 residents and attendees.

We would like to recognize the efforts of Matthew Riley, Library Director, and all the staff at the library whose dedicated work made this achievement possible.

ATTACHMENTS

[Notification Letter](#)



February 20, 2019

Matthew Riley
Friendswood Public Library
416 S. Friendswood Dr
Friendswood, TX 77546

Dear Matthew Riley

Congratulations go to Friendswood Public Library. On behalf of the Texas Municipal Library Directors Association, I am pleased to inform you've earned the *2018 Achievement of Excellence in Libraries Award*. Your application clearly demonstrated your commitment to provide exceptional service.

Of the 548 public library systems in Texas, your library is one of only 51 who have earned this year's award. With this honor, your library is now in the top 10% of all public libraries in the State.

We know you will want to proudly display your accolades, which include an award plaque, congratulatory letter, and a digital medal. The digital medal is an image file that can be used (but not altered) on websites, email signatures, stationary, and other official library promotional materials. The digital image can be made to be clickable to the TMLDA award site, or if you prefer, to a page you create showing your accomplishments and/or completed application.

If you would like a local TMLDA representative to present your award publicly, please contact Shelley Holley, Achievement of Excellence in Libraries Award committee chair at 972-292-5610, or sholley@friscotexas.gov.

Again, congratulations on this accomplishment, and thank you for providing your community with outstanding and innovative services to enrich the lives of your residents.

Warmly,

A handwritten signature in black ink that reads "Shelley Holley". The signature is fluid and cursive.

Shelley Holley, Frisco Public Library
Chair, Achievement of Library Excellence Award
Texas Municipal Library Directors Association





FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix C Zoning Ordinance "Section 8. N. 1. Geographic limits" regarding proposed amendments to the established boundary of the Downtown District

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: Joint Public Hearing

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission. For reference, the original "Downtown District Review and Recommendations Linked Document" is provided in the back up materials. Some of the recommendations may have changed.

Review Item: Amending the boundary to include the property located at 110 Whispering Pines.

The original DD boundary was established in 2007 when the Downtown District (DD) zoning was created (Ord. 2007-18). The boundary was amended shortly thereafter in 2008 to expand the Downtown District to the creek (Ord. 2008-30).

Other regulations using the DD map include Resolution 2008-103, which established the Neighborhood Empowerment Zone (NEZ) for the amended Downtown District and waives fees for development in certain situations. Additionally, the Sales Tax election is limited to the current Downtown District map (adopted in 2008); sales tax dollars collected and contributed to the 4B fund managed by the Friendswood Downtown Economic Development Corporation (FDECD) can only be spent on properties within this boundary.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and

restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Proposed Amendment to Downtown District Map Redline](#)

[Proposed Downtown District Map Figure 1 2019](#)

[Ordinance 2007-18 Original creation of DD Map](#)

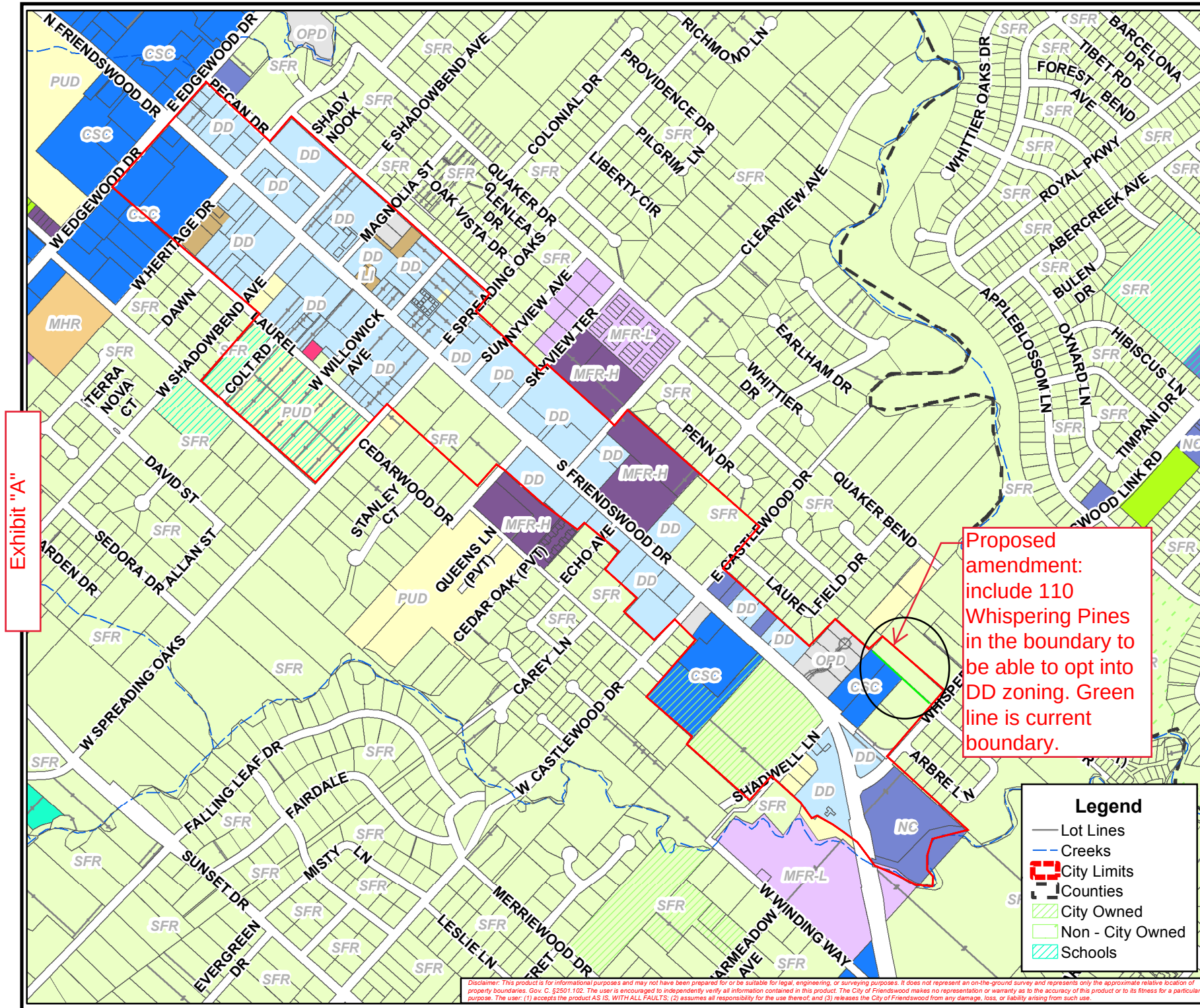
[Ordinance 2008-30 Amendment to DD Map](#)

[Downtown District Review and Recommendations Linked Document](#)



Downtown District Map

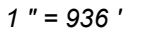
Figure 1
Amended 2019



Proposed amendment:
include 110 Whispering Pines in the boundary to be able to opt into DD zoning. Green line is current boundary.

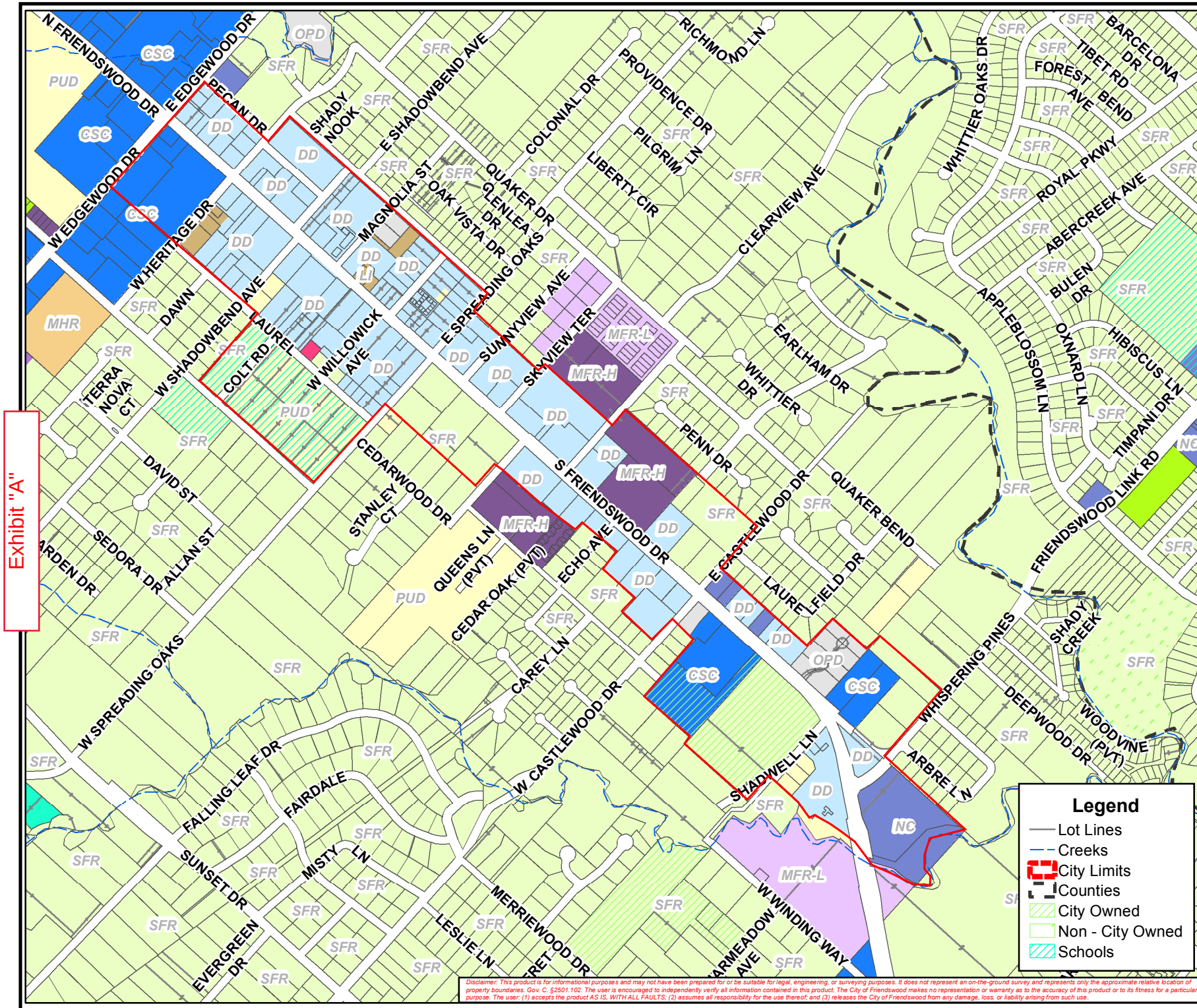
- ### Legend
- Lot Lines
 - - - Creeks
 -  City Limits
 -  Counties
 -  City Owned
 -  Non - City Owned
 -  Schools

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.



Downtown District Map

Figure 1



(Title: An ordinance amending the zoning ordinance of the City by abolishing the Original Business District zoning classification and creating a new Downtown Zoning District; and providing other matters relating to the subject.)

ORDINANCE NO. 2007-18

AN ORDINANCE AMENDING APPENDIX C OF THE FRIENDSWOOD CITY CODE, SAID APPENDIX C BEING CITY OF FRIENDSWOOD, TEXAS, ORDINANCE NO. 84-15, AS AMENDED, ORIGINALLY ADOPTED THE 19TH DAY OF NOVEMBER, 1984, AND BEING THE ZONING ORDINANCE OF THE CITY, BY ABOLISHING THE ORIGINAL BUSINESS DISTRICT ZONING CLASSIFICATION AND PROVIDING FOR THE CREATION OF A DOWNTOWN ZONING DISTRICT; PROVIDING RULES AND REGULATIONS GOVERNING THE USE OF LAND WITHIN THE DOWNTOWN ZONING DISTRICT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. City of Friendswood, Texas, Ordinance No. 84-15, as amended, originally adopted the 19th day of November, 1984, same being Appendix C of the Friendswood City Code, and also being the zoning ordinance of the City, is hereby amended as set forth below. Words being deleted are enclosed by brackets with strikethroughs, as follows: “[~~deleted~~].” Words being added are indicated by underline, as follows: “underline.”

A. Subsection I of Section 2 is hereby amended as follows:

- I. ~~[OBD ——— Original Business District]~~
- I. DD Downtown District

B. Subsection I of Section 7 is hereby amended as follows:

- ~~I. ——— OBD, original business district, general purpose and description. The original business district is intended to accommodate Friendswood's original business area. This district is shown on the zoning map. The district is for commercial office, service industry, and public activities. Development of an original~~

~~business 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 OBD, original business 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 OBD district under certain circumstances and conditions.~~
- ~~4. Permitted uses. Uses permitted in an OBD, original business district, are set forth in section 7 P, Permitted Use Table}~~

I. *Downtown District (DD), general purpose and description* – This district is designed to accommodate and promote Friendswood’s original business and downtown areas area. 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 1 to 4 stories. The maximum height allowed is 70 feet measured from the minimum habitable floor elevation. Additional regulations are set forth under Section 7, Q. 2 – Regulation Matrix.
 - 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, Downtown District, are set forth in section 7-P, Permitted Use Table

C. Paragraph 2 of Subsection P of Section 7 is hereby amended as follows:

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 ~~[OPD-]~~ 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.

D. The "Permitted Use Table" following Paragraph 5 of Subsection P of Section 7 is hereby amended as follows:

(THE "PERMITTED USE TABLE" IS ATTACHED TO THIS ORDINANCE AS EXHIBIT "A," AND IS MADE A PART HEREOF FOR ALL PURPOSES)

E. The "Regulation "Matrix for Commercial Districts" following Paragraph 2 of Subsection Q of Section 7 is hereby amended as follows:

(THE "REGULATION MATRIX -- COMMERCIAL DISTRICTS" IS ATTACHED TO THIS ORDINANCE AS EXHIBIT "B," AND IS MADE A PART HEREOF FOR ALL PURPOSES)

F. Paragraph 3 b (1) of Subsection Q of Section 7 is hereby amended as follows:

- (1) Buildings or structures in Community Shopping Center (CSC), ~~[Original Business District—(OBD),]~~ Neighborhood Commercial (NC), Office Park (OPD), Light Industrial (LI), Industrial (I), Business Park (BP) and Planned Unit Development (PUD)

districts may exceed thirty-five (35) feet in height when:

...

- (b) The minimum setback for any building or structure in Community Shopping Center (CSC), [~~Original Business District~~ (OBD)], Neighborhood Commercial (NC), Office Park (OPD), Light Industrial (LI), Industrial (I), Business Park (BP) and Planned Unit Development (PUD) which is greater than thirty-five (35) feet in height, shall be one-hundred (100) feet plus the building or structure height from the nearest property line of residentially zoned land.

...

G. Paragraph 3 b (3) of Subsection Q of Section 7 is hereby amended by adding a subparagraph (3) to provide as follows:

(3) The maximum height allowed for structures within the Downtown District (DD) is 70 feet measured from the minimum habitable floor elevation.

H. Subsection 1 of Section 7.5 is hereby amended as follows:

1. ***General purpose and description.*** The Community Overlay District ("COD") is intended to preserve and enhance the physical characteristics of the City of Friendswood 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 [outlined under Section 8 of this Ordinance]** 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 ~~[except for that portion which is located within the Downtown District]~~, FM 528 from Friendswood City Limit to Friendswood City Limit, Friendswood Lakes Blvd. (also known as Brittany Bay) from Friendswood City Limit to Friendswood City Limit, Bay Area Blvd. from Friendswood City Limit to FM 528.

I. Subsection E of Section 8 is hereby amended as follows:

E. ***Structures to have access.*** Every building hereafter erected shall be on a lot adjacent to a public street, ~~[or]~~ 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, ~~[and]~~ fire protection, shared parking and or ~~[required]~~ off-street parking.

J. Subsection F of Section 8 is hereby amended as follows:

F. ***Off-street parking and loading regulations.***

1. ***Off-street parking regulations; Purpose.*** It is the intent of this section to assure that adequate ~~[shared or]~~ off-street parking is provided with the construction, alteration, remodeling or change of use of any building or change in the 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.

a. Approval by the Commission shall be required of ~~[the]~~ parking area layouts and design of all ~~[shared and]~~ off-street parking ~~[areas]~~, including shared parking areas, ~~[shall be approved by the Commission]~~ with the recommendation of by the city engineer. The city engineer shall render to the Commission his recommendation regarding the usability of the proposed parking spaces, and the adequacy of ~~[that spaces provided are usable, and that the]~~ vehicular circulation patterns ~~[of the area is adequate]~~.

...

- c. **Downtown District parking.** ~~[To encourage shared parking, shared access and promote pedestrian friendly environments, on-street parking is allowed within the DD except along FM 518. Approval for on-street parking must be made by the Commission with the recommendation of the city engineer. Parking spaces and parking lot geometries shall comply with the requirements of the current Design Criteria.]~~ **To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Head-in parking may be allowed in the DD with the approval of the Commission, upon recommendation of the city engineer, in areas at least 400' from FM 518 and/or FM 2351. No on street parking shall be allowed on FM 518. Parking spaces and parking lot geometries shall comply with the requirements of the current Design Criteria.**

K. The first paragraph of Paragraph 2 a of Subsection I of Section 8 is hereby amended as follows:

2. ***Perimeter landscaping and screening.***

- a. When a commercial (CSC, LNC, NC, OPD **DD**, ~~[OBD]~~, 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.

L. Subparagraph 2 f (3) (1) (a) (i) of Subsection I of Section 8 is hereby amended as follows:

- (i) All proposed development on land located in districts zoned as Neighborhood Commercial (NC), Community Shopping Center (CSC), ~~[Original Business District (OBD)]~~ **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 Multi-Family Residential, low density (MFR – L), Multi-Family Residential, medium density (MFR – M), and Multi-Family Residential, high density (MFR – H); and

M. Section 8 is hereby amended by adding a new Subsection N to provide as follows:

N. Downtown District Supplemental requirements

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

Figure 1

- 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.**
 - a. **Off-site parking shall be allowed if within one block of the development. For purposes of this subsection, one block shall constitute no less than**

three-hundred linear feet (300') and no more than twelve-hundred linear feet (1200').

- b. Shared parking areas shall be allowed.
- c. Shared access agreements shall be required between adjacent developments.
- d. On-street parking shall be in accordance with section F,1,C shown previously in this ordinance.
- e. Development plans shall indicate how freight and goods will be delivered.
- f. Development plans shall show the design and layoff for all parking. Documentation shall be provided to verify authority for all shared or off site parking, and
- g. All such required documentation shall be presented before a development plan is approved.

4. Architectural standards.

- a. The portion of each structure that will be visible to the general public shall be of a masonry material, glass and/or cement based wood substitutes. Other architectural materials of similar or higher quality may be substituted upon approval of the Planning and Zoning Commission. The Planning and Zoning Commission may request a recommendation of the City Engineer for non-standard materials.
- b. Fenestration (i.e., openings such as doors and windows) along front or other facades visible to the public, shall be as follows:
 - (1) Walls visible to the public shall have windows and or doors (i.e. no blank walls allowed).
 - (2) Not less than 40 % fenestration shall be provided for all ground floor primary

facades (front or side) that face a public right-of-way.

(3) Not less than 25% fenestration shall be provided for any façade (upper floors and those not facing a public right-of-way with the exception noted in item 4 below).

(4) No window or door, except emergency access, shall be allowed on any wall that is adjacent to an interior side or rear lot line with a zero set back.

c. Awnings and canopies are allowed upon approval of the Planning and Zoning Commission.

d. Fenestration Calculations:

(1) Area of primary wall (front or side) facing ROW x 40% = minimum fenestration;

(2) Area of upper floor or floor not facing ROW x 25% = minimum fenestration

5. Screening. Mechanical equipment, such as roof top equipment, compressors, refrigeration units and trash enclosures, and other non-public service areas that are visible from a public area, shall be screened to a height sufficient to completely screen the use from view at ground level. "View at 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 street or streets.

6. Sidewalks. Each development shall provide a 15-foot wide paved sidewalk along each adjacent roadway right-of-way. Sidewalks and sidewalk easements shall be required where head-in parking does not leave enough area for amenities and sidewalks in the right-of-way.

a. An area four feet (4') in depth, and running parallel and adjacent to each adjacent roadway right of way, measured from the back of curb,

shall be reserved for amenities such as street furniture, lighting or landscaping. This area may be grass, brick pavers, stamped concrete, or other decorative material. A 4'X 4' (minimum) landscape and tree well shall be provided every 25 linear feet. Each well shall contain a minimum of one (1) tree from the approved tree list and other landscaping material (bushes and/ground cover). The tree and landscaping material shall be maintained in living condition). One-half of the trees shall have a minimum caliper of four (4) inches and one-half shall have 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 ordinance. (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.)

N. Paragraph 2 a of Subsection H of Section 9 is hereby amended as follows:

- a. All proposed development on land zoned Neighborhood Commercial (NC), Community Shopping Center (CSC), ~~[Original—Business District (OBD)]~~ **Downtown District (DD)**, Local Neighborhood Commercial (LNC), Office Park District (OPD), Light Industrial (LI), Industrial (I), Agricultural (A-1), Business Park (BP), or multi-family residential, low density (MFR-L), multi-family residential, medium density, (MFR-M), and multi-family residential, high density (MFR-H); and

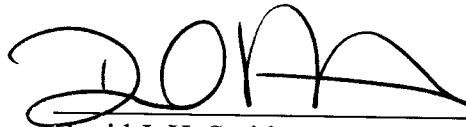
Section 2. Any person who shall knowingly, willingly, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 3. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance

shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

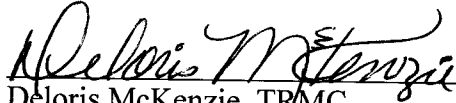
PASSED and APPROVED on first reading this 1st day of October 2007.

PASSED, APPROVED, and ADOPTED on second and final reading this the 15th day of October 2007.



David J. H. Smith
Mayor

ATTEST:



Deloris McKenzie, TRMC
City Secretary



PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
	Adult Entertainment Business							S								S	S	
111	Crop Production							O	O		O	O	S	P	P			
111	Greenhouse, Nursery & Floriculture Production										O	O	S	P	P	P	P	P
112	Animal Production							O	O		O	O	S	P	P			
113	Forestry and Logging										O	O	S	P	P	S	P	
113	Logging										O	O	S	P	S		S	
114	Fishing, Hunting and Trapping										O	O			P			
115	Support Activities for Agriculture and Forestry							O	O		O	O	S	P	P		P	
115	Support Activities for Crop Production							O	O		O	O	S	P	O			
211	Oil and gas extraction										O	O			S	S	S	
212	Mining, except oil and gas										O	O					S	
213	Mining support activities										O	O			S	S	S	

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR-GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD-Mixed Use	A-1	L1	I	BP
22	Utilities – All Subcategories										O	O	S	P		P	P	S
233	Building, developing and general contracting							O	O		O	O	S	P		P	P	P
234	Heavy construction							O	O		O	O	S	P		P	P	S
235	Special Trade Contractors							O	O		O	O	S	P		P	P	P
311	Food Mfg										O	O	S	P		S	S	S
312	Beverage and Tobacco product mfg										O	O	S	P		S	S	S
313	Textile mills										O	O				S	S	S
314	Textile product mills										O	O	S	P		S	S	S
315	Apparel Manufacturing										O	O	S	P		S	S	S
316	Leather and allied product mfg										O	O	S			S	P	S
316	Leather and Hide tanning and Finishing										O	O	S				S	
321	Wood product mfg										O	O	S			S	P	S
322	Paper mfg										O	O	S				S	

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
323	Printing and related support activities							P			O	P	S	P		P	P	P
323	Commercial Lithographic Printing							S			O	S	S	P		P	P	P
324	Petroleum and coal products mfg										O	O	S			S	S	
325	Chemical mfg										O	O	S			S	S	
325	Pharmaceutical Preparation Manufacturing										O	O	S			P	P	P
326	Plastics and rubber products mfg										O	O	S			S	P	
326	Rubber Product Manufacturing										O	O	S				P	
327	Nonmetallic mineral product mfg										O	O	S			-	P	
331	Primary metal mfg										O	O	S			-	S	
332	Fabricated metal product mfg										O	O	S			S	P	
333	Machinery mfg										O	O	S			S	P	S
334	Computer & Electronic Product Manufacturing							-	-		O	S	S	P		P	P	P
335	Electrical Equip, appliance and component mfg										O	O	S	P		P	P	P

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
335	Battery Manufacturing										O	O	S					-
336	Transportation equipment mfg										O	O	S			S	P	
337	Furniture and related products mfg										O	O	S	P		S	P	
339	Misc. mfg										O	O	S			P	P	S
339	Medical Equipment & Supplies Manufacturing							S	S		P	S	S	P		P	P	P
42	Wholesale Trade – all subcategories										O	O	S	P		P	P	P
441	Motor Vehicle and Parts Dealers										O	O	S	P		P	P	
441	New Car Dealers							S			O	O	S	P		P	P	
441	Used Car Dealers							S			O	O	S			P	P	
441	Boat Dealers							S			O	O	S	P		P	P	
441	Recreational Vehicle Dealers							S			O	O	S	P		P	P	
441	Motorcycle Dealers							S			O	O	S	P		P	P	
441	Automotive Parts, Accessories and Tire Stores							P	S		O	O	S	P		P	P	P
442	Furniture and home furnishing stores							P	P		O	P	S	P				P

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
443	Electronics and appliance stores							P	P		O	P	S	P				P
444	Bldg Material & Garden equip & supp dealers							P	P		O	P	S	P		P	P	P
445	Food & Beverage stores							P	P	P	O	P	S	P		S		S
446	Health & personal care stores							P	P	P	O	P	S	P		P		P
447	Gasoline stations							P	P	P	O	P	S	P		P	P	
448	Clothing and clothing accessory stores							P	P	P	O	P	S	P				P
451	Sporting good, hobby, book & music stores							P	P		O	P	S	P				P
452	General merchandise stores							P	P	P	O	P	S	P		P		P
453	Misc. store retailers							P	P		O	P	S	P		P		P
453	Used Merchandise Stores							P				P	S	P		P	P	P
453	Manufactured (Mobile) Home Dealers										O	O						
453	All other Misc. Store Retailers							P	P			P	S	P		P	P	P
453	Tobacco Stores							P	P			P	S	P				
454	Non-store retailers							S	S		O	P	S	P			P	P

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
454	Electronic Shopping & Mail-Order Houses											P	S	P		P		P
454	Vending Machine Operators											O	S	P		P		P
454	Other Direct Selling Establishments											O	S	P		P		P
454	Fuel Dealers										O	O	S	P			S	O
481	Air Transportation										O	O	S	P				
482	Rail Transportation										O	O	S	P		S	P	S
483	Water Transportation										O	O	S	P			S	
484	Truck Transportation										O	O	S	P		P	P	P
485	Transit & Ground Passenger Transportation							S	S		O	P	S	P		S	S	S
486	Pipeline Transportation	S	S	S	S	S	S	S	S	S	S	S	S	P	S	S	S	S
487	Scenic & sightseeing Transportation							S			O	P	S	P				P
488	Transportation Support services							S	S		O	O				P	P	P
488	Motor vehicle towing							-	S		O	O	S	P		P	P	O
491	Postal Service							P	P		O	P	S	P		P	P	P
492	Couriers & Messengers							P	P		O	P	S	P		P		P

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
493	Warehousing & Storage										O	S	S	P		P	P	P
511	Publishing Industries										O	P	S	P		P	P	P
512	Motion Picture & Sound Recording industries							S			O	S	S	P		P	P	P
513	Broadcasting & Telecommunications							S	S		O	O	S	P		P	P	P
513	Telecommunication Resellers							P	P		O	P	S	P		P	P	P
514	Information & Data processing services							P	P		O	P	S	P		P		P
52	Finance & Insurance – all subcategories except 522							P	P		P	P	S	P		P		P
522	All Other Nondepository Credit Intermediation (Pawn shops)							S			O	P	S	P		P	P	P
531	Real estate (Miniwarehouse Storage)							P	P		P	P	S	P		P	P	P

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
531	Lessors of Miniwarehouse or self storage units							P	P				S	P		P	P	P
532	Rental & leasing services							P	S		O	P	S	P		P	P	P
533	Lessors of other nonfinancial intangible asset							P	P		P	P	S	P		P		P
54	Professional, Scientific & Technical Services- all subcategories except 541							P	P		P	P	S	P		P		P
541	Research, development & testing services							S			O	S	S	P		P	P	P
55	Management of Companies & Enterprises –all subcategories							P	P		P	P	S	P		P		P

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
56	Admin/Support Waste Mgmt/Remediation Services – all subcategories except 561 and 562							P	P		O	P	S	P		P		P
561	Services to dwellings and other buildings							S			O	O	S	P		P	P	P
562	Waste Management & remediation services										O	O	S	P		S	P	S
611	Educational Services							P			P	P	S	P	S	P	P	P
611	Elementary & Secondary schools	S		S	S	S	S	S	S	S	O	P	S	P	S	S	S	S
611	Junior Colleges							S			O	P	S	P	S	S	S	P
611	Colleges, Universities & Professional schools							S			O	P	S	P	S	S	S	P
611	Computer, Business & Secretarial Schools							S			O	P	S	P	S	S	S	S
611	Other School and Instruction							P			P	S	S	P	S	P	P	P
621	Ambulatory Health care services							P	P		P	P	S	P				P

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
622	Hospitals							P			O	S	S	P		P		P
623	Nursing & residential care facilities							S	S		O	S	S	P				
623	Community Care Facilities	P										S	S	P				
624	Social Assistance							P			O	P	S	P				P
624	Child Day Care Services			S	S	S	S	P	S	P	O	P	S	P				
71	Arts, Entertainment and Recreation all subcategories except 711,712, 713							P			O	P	S	P				P
711	Sports Teams, clubs, racetracks, other spectator sports							S			O	O	S	P				P
712	Museums, historical sites & like institutions	S	S	S	S	S	S	P	S		O	P	S	P	S	S	S	S
713	All Other Amusement and Recreation Industries											S				S	S	

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
721	Accommodation							P			O	P	S	P		P		P
722	Food services & Drinking places							P	P		O	P	S	P		P		P
722	Drinking places (Alcoholic Beverages)								P			P		P		P		P
811	Automotive Repair Shops							P	S		O	S	S	P		P	P	
811	Welding Shops							S			O	O	S	P		P	P	P
812	Personal Care Services							P	P	P	P	P	S	P		P		P
812	Death Care Services							S	S		O	S	S	P		P		S
812	Other Personal Services							P	P		P	P	S	P		P	-	P
813	Religious/Grantmaking/ Prof/ Similar organizations							P	P		O	P	S	P				
813	Religious Organizations	S	S	S	S	S	S	P	P	P	O	P	S	P	S			

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
813	Civic, social and fraternal associations	S	S	S	S	S	S	P	P	S	O	P	S	P		P		P
814	Private households	P	P	P	P	P	P					P (a)		P	P			
92	Public Administration all subcategories except 922							P			O	P	S	P		P		P
922	Correctional Institutions																S	
	Residential Uses																	
	Cluster Housing			P	P	P							P	P				
	Mobile Home Parks						P											
	Model dwelling unit	P	P	P	P	P	P						S	P				
	Multi-family dwellings			P	P	P	P						S	P				
	Single family dwellings	P	P	S	S	S	S						S	P	P	S	S	
	Townhouses			P	P	P	P							P				
	Two family dwellings			P									S	P				
	Accessory Residential Uses																	
	Accessory Building Structure or use	P	P	P	P	P	P											
	Cable Television transmission line	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Electrical Substation								S	S	S	S						
	Electrical Transmission Line	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Garage Apartment																	
	Home Occupation	P	P	P	P	P	P					P	P	P				
	Private Recreation Facility	P	P	P	P	P	P					P	S	P				

PERMITTED USE TABLE #2001-22

	1997 NAICS	SFR & SFR-E	MFR- GHD	MFR-L	MFR-M	MFR-H	MHR	CSC	NC	LNC	OPD	DD	PUD	PUD- Mixed Use	A-1	L1	I	BP
	Servants or caretaker quarters	P	P	P	P	P	P				P	P	S	P		P	P	P
	Swimming Pool	P	P	P	P	P	P					P	P	P				
	Telephone exchange, switching relay or transmitting station	S	S	P	P	P	P	P	P	S	P	S	S	P	P	P	P	P
	Utility Business Office							P	P		P	P	S	P		P	P	P
	Utility service or storage yard or buildings											S	S	P		P	P	S

(a) 2nd floor and above

(b) Legend

- 1. P – Permitted**
- 2. S – Special Use Permit Required**
- 3. O – Office Use only**
- 4. _ - Not Permitted**

PERMITTED USE TABLE #2001-22

NOTE: TBD - Number of parking spaces to be agreed on by applicant and City

(Ord. No. 2002-1, § 1, 1-21-02)

(Ord. No. 2004-12 § 2, 8-2-04)

(Ord. No. 2004-11 § 1-3, 8-2-04)

(Ord. 2004-21, § 1-3, 12-06-04)

and height regulations.

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 tables labeled 7-Q.2, Regulation Matrix.

Regulation Matrix)

TRIX - RESIDENTIAL DISTRICTS

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

			Yards - Minimum Feet								
			Front	Rear (a)	Side						
					Interior (d)	Exterior (Corner Lot)					
						Backing Up to an Abutting Side Yard					Backing Up to an Abutting Rear Yard
Lot Area Minimum Square Feet	Lot Width	Front	Rear (a)	Interior (d)	Backing Up to an Abutting Side Yard	Backing Up to an Abutting Rear Yard	Height Maximum Feet (b and e)	Parking Requirement Unit	Zero Lot Lines Y or N	Maximum Lot Coverage	
11,600	90 A	25 B	25	10 F	25 A	20 C	35	2	No	35 %	
15,600	120 A	25 B	25	10	25 B	20 C	40	2	No	35 %	
87,120	150 A	75	25	25	35	35	40	5	No	20 %	
7,260 G	45 G	25 B	25	10 E, I	25 B	20 C	35	2	No	50 %	
- -	- -	25 B	0	10 E, I	25 B	20 C	35	2	No	50 %	
- -	- -	25 B	0	10 E, I	25 B	20 C	35	2	No	50 %	
- -	- -	25 B	25	10 I	30	25 B	20	2.5	No	50 %	

TRIX - RESIDENTIAL DISTRICTS - cont'd/

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

Lot Area Minimum Square Feet		Lot Width	Yards - Minimum Feet				Height Maximum Feet (b and e)				Parking Requirement Unit	Zero Lot Lines Y or N	Maximum Lot Coverage	
			Front	Rear (a)	Side									
					Interior (d)	Exterior (Corner Lot)								
						Backing Up to an Abutting Side Yard								Backing Up to an Abutting Rear Yard
Lot Area Minimum Square Feet	Lot Width	Front	Rear (a)	Interior (d)	Backing Up to an Abutting Side Yard	Backing Up to an Abutting Rear Yard	Height Maximum Feet (b and e)	Parking Requirement Unit	Zero Lot Lines Y or N	Maximum Lot Coverage				
- -	- -	25 B	25	10 I	25 B	20 C	35	2	No	10 %				
6,000	60	5 B , H	10	0 D , J	5 B , H	4 C , H	35	2	Yes D	50 %				
6,000	40	20 B	15	5 I	20 B	20 C	35	2	No	40 % .				
6,000	40	20 B	15	5 I	20 B	20 C	35	2	No	45 %				
6,000	40	20 B	15	5 I	20 B	20 C	35	2	No	50 %				

on 120 feet wide require curbs. Lots 120 feet wide or greater may use open ditches.

on thoroughfares.

et on thoroughfares.

n side only, minimum five-foot separation between buildings.

um separation between buildings.

n existence with less than 90 feet of width that have structures already built upon them may continue with the
et back for additions provided they are not less than a minimum of five feet.

t elect either units per acre or lot area. Two family residential units on two lots are required when lot area is

exterior side yard setbacks shall be measured from the edge of the street ROW or the edge of the Drainage
easement (if streets are private) whichever is greater.

et when abutting land zoned single-family residential (SFR) district.

abutting land zoned anything other than MFR - GHD (Garden Home District).

TRIX - COMMERCIAL DISTRICTS

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

		Yards - Minimum Feet									
		Front	Rear (a)	Side				Height Maximum Feet (b and e)	Landscape Require- ments	Excep- tion Notes	Maxi- mum Lot Coverage
				Interior		Exterior					
Lot Width Minimum Feet	Lot Depth Minimum Feet			When Abutting Property In a Residential District or Garden Home District	When Abutting Property In a Non- Residential District	When Backing Up to an Abutting Side Yard	When Backing Up to an Abutting Rear Yard				
100	150	30	15	25	10	25	10	35	Yes	No	30%
100	120	30	20	25	10	25	10	35	Yes	D	30%
100	100	30	25	25	10	25	10	35	Yes	D	30%
0	0	0	0/15 (see note E)	15	0	0	0	70	Yes	E	60%
100	100	30	15	25	10	25	10	35	Yes		30%
100	100	30	25	25	10	25	10	35	Yes		40%
100	100	30	25	25	10	25	10	35	Yes	A , C	50%
100	100	30	25	40	10	25	10	35	Yes	B , C	60%

(, 12-18-00)

et is across the street from a residential district front yard shall be 40 feet from street R.O.W .

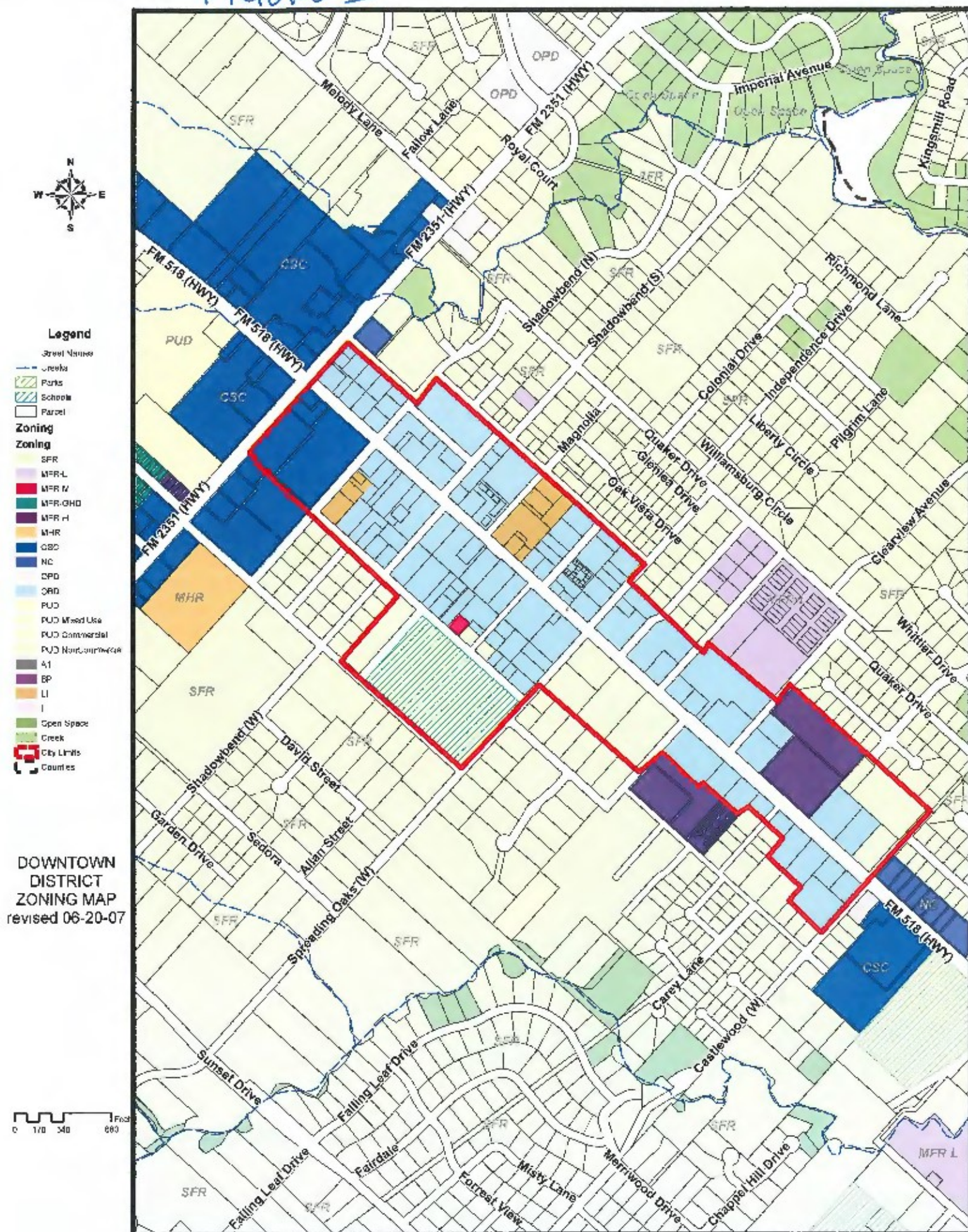
is across the street from a residential district front yard setback shall be 50 feet from street R.O.W .

l district abuts side and/or rear residential district setback shall be 89 feet.

yard setback shall be 15 feet when rear yard abuts a non-residential district.

wntown District (DD) in existence prior to the creation of the DD shall be deemed as law fully existing and shall
evelop under DD regulations. Further, tracts of any size in existence prior to the creation of the DD may be
larger tracts and developed, even if the aggregate size is less than 15,000 sq. ft. Further, no lot classified as
zone may be subdivided to less than the minimum size of 15,000 sq. ft. Rear yard setback shall be 15 feet when
a residential district (Residential District or Garden Home District) and 0 feet when rear yard abuts a non-
ict

FIGURE 1



(Title: An ordinance amending the zoning ordinance of the City by amending the boundaries of the Downtown District.)

ORDINANCE NO. 2008-30

AN ORDINANCE AMENDING APPENDIX C OF THE FRIENDSWOOD CITY CODE, SAID APPENDIX C BEING CITY OF FRIENDSWOOD, TEXAS ORDINANCE NO. 84-15, AS AMENDED, ORIGINALLY ADOPTED THE 19TH DAY OF NOVEMBER, 1984, AND BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING SECTION 8, SUBSECTION N (1) [FIGURE 1], TO EXPAND THE BOUNDARIES OF THE DOWNTOWN DISTRICT; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

SECTION 1. City of Friendswood, Texas, Ordinance No. 84-15, as amended, originally passed and approved the 19th day of November, 1984, and being the zoning ordinance of the city,, is hereby amended by amending Figure 1 of Subsection N (1) of Section 8 to read and provide as follows:

“N. Downtown District Supplemental requirements

....

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 zone. Those properties outside the geographic limits may not rezone to the downtown zone.

Figure 1 [amended September 2008]

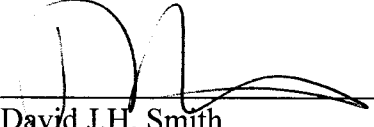
... ”

SECTION 2. Any person who shall knowingly, willingly, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

SECTION 3. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

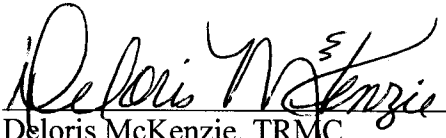
PASSED AND APPROVED on first reading this 20th day of October, 2008.

PASSED, APPROVED, and ADOPTED on second and final reading this 12th day of January 2009.



David J.H. Smith
Mayor

ATTEST:



Deloris McKenzie, TRMC
City Secretary



Memo

To: Mayor and City Council

From: Chairman of the Planning and Zoning Commission *KH (mam)*

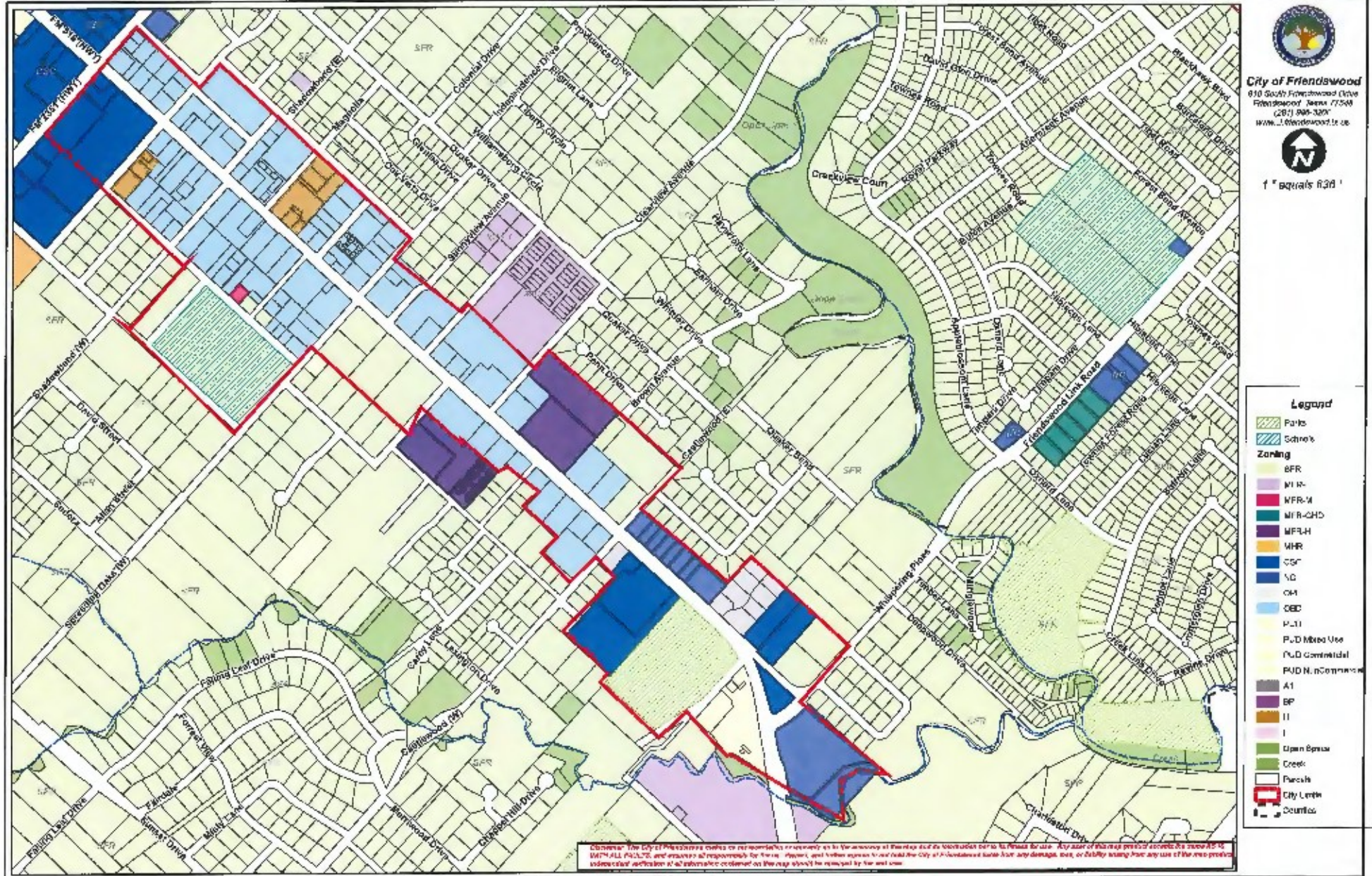
Date: October 21, 2008

Re: Proposed amendments to Appendix C, Zoning Ordinance of the Code of Ordinances, regarding the Downtown District boundaries

At a special meeting on October 20, 2008, immediately following the Joint Public Hearing, the City of Friendswood Planning and Zoning Commission voted unanimously (6 to 0, McLean was absent) to recommend to City Council the above mentioned amendment to the Zoning Ordinance.

This amendment extends the Downtown District boundaries to Coward's Creek per the attached map.

FIGURE 1



Downtown District (DD) Zoning Regulations Review and Proposed Amendments

Subject	Current Requirement	Request	Recommendation	Applicable Attachments	Changes
Downtown District Boundary Established in 2008: Ordinance 2007-18 Ordinance 2008-30	Properties outside the Downtown District Boundary cannot change to DD zoning. See yellow highlight in the attachment.	To incorporate 110 Whispering Pines into DD Boundary; also review other boundaries for potential changes.	Not recommended due to complexity that would be created by changing the boundary in regards to the expenditure of 4B sales tax and application of the Neighborhood Empowerment Zone (NEZ).	DD Boundary Map Zoning Ordinance Section 8.N. Resolution 2008-103: Neighborhood Empowerment Zone (NEZ) Amendment Resolution 2016-10: Canvass of Sales Tax Election	No
Buffer Requirements - copy to DD section	Gray highlight and Green Text	n/a	Copy language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.I. to Section 8.N.	Yes
Parking Requirements - move to DD section	Gray Highlight and Green Text	n/a	Relocated language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.F. to Section 8.N.	Yes
Head-In, on-street parking	Currently allowed 400ft from FM 518 or FM 2351	Allow head in parking closer to FM 518 or FM 2351.	Change to 75 feet - same as driveway spacing from a major thoroughfare requirement in Design Criteria Manual.	Zoning Ordinance Section 8.N.3.d	Yes
Façade materials	cement fiber board is prohibited	Allow cement fiber board installed as lap siding; not flat sheets.	Allow cement fiber board installed as lap siding.	Zoning Ordinance Section 7.I. Zoning Ordinance Section 8.N.4.	Yes
Fenestration	40% on ground floors facing ROW; 25% on upper floors and those not facing a ROW	Reduce requirement for facades facing interior of lots and adjacent to residential development.	Leave 40% requirement on first floor; eliminate 25% fenestration requirement on lower floors not facing a right-of-way.	Zoning Ordinance Section 8.N.4.	Yes

Downtown District (DD) Zoning Regulations Review and Proposed Amendments

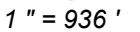
Community Overlay District (COD) vs. Downtown District (DD)	Aesthetic requirements are more stringent in the COD; review and determine which requirements, if any, should also be applicable to DD	Review requirements of the Community Overlay District (COD) and determine if those should also be incorporated into DD.	Add the following requirements: underground utilities bay doors not facing thoroughfares earth tone colors screening materials same as building add reference to dumpster screening requirements	Zoning Ordinance Section 8.N.4.	Yes
Permitted Uses	See Permitted Use Table	Review uses allowed in DD.	No changes recommended at this time.	Zoning Ordinance Section 7.P.6.	No
Pedestrian Lighting	Minimum 2 lights; Design Criteria Manual details type of light required	Review in relation to DD Improvement Plan by FDEDC.	No changes at this time; waiting on additional info from FDEDC.	Design Criteria Manual - Appendix E	No
PUD Modification (clean up - relocating existing language)		A portion of the PUD requirements was relocated in the Zoning Ordinance, but the modification section was not relocated.	Move to correct location in Zoning Ordinance.	Move from Section 8.H. to Section 7.J.	Yes
Signs LED lighting in storefront windows	No regulation	LED lighting in storefront windows detracts from the decorative, pedestrian lighting being installed in DD.	In DD only, prohibit neon signs and LED or similar lighting in windows; make effective 90 days from ordinance adoption; require existing businesses to remove; exception holiday lighting from Nov. 15 to Jan. 15.	Appendix A Sign Ordinance	Yes

Web Links to full Ordinances:

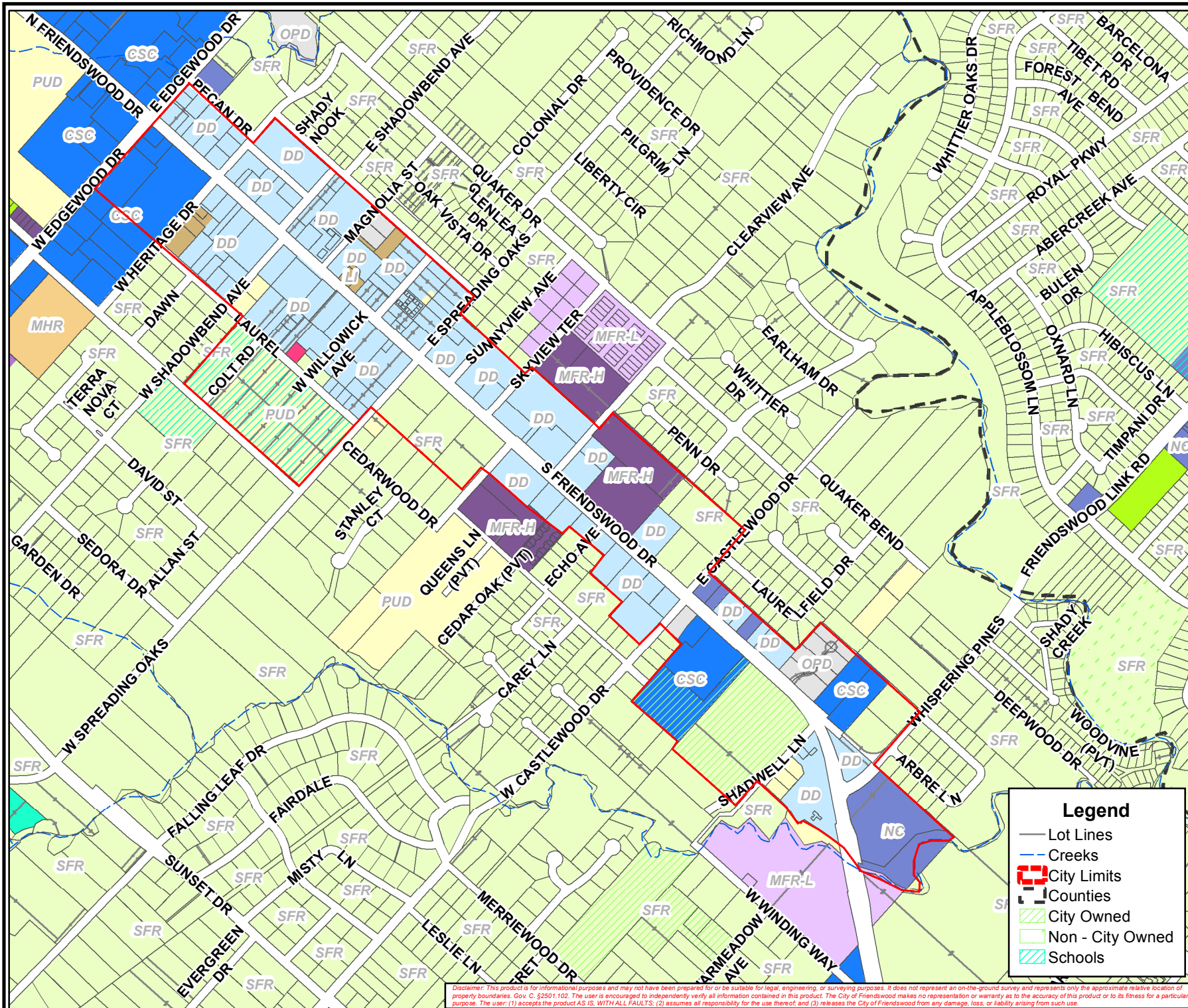
[Appendix C Zoning Ordinance](#)

[Appendix A Sign Ordinance](#)

[Design Criteria Manual](#)



Friendswood GIS Mapping



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

RESOLUTION R2008-103

A RESOLUTION OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING RESOLUTION R2008-54 CREATING NEIGHBORHOOD EMPOWERMENT ZONE #1 BY FURTHER DEFINING THE ZONE'S GEOGRAPHICAL BOUNDARIES AND THE IMPROVEMENTS THAT ARE ELIGIBLE FOR INCENTIVES.

* * * * *

WHEREAS, the City of Friendswood created Neighborhood Empowerment Zone #1 in accordance with state law on June 16, 2008, to provide certain economic development incentives for the downtown area with the purpose of encouraging private investment and reinvestment of sustainable neighborhoods and businesses in the City; and

WHEREAS, the City Council of the City of Friendswood, Texas, desires to amend Resolution R2008-54 that created Neighborhood Empowerment Zone #1 to expand the zone's geographical boundaries and to make provisions for projects to be eligible for certain incentives;

NOW, THEREFORE, BE IT DECLARED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City amends Section 1 of Resolution R2008-54, dated June 16, 2008, modifying the boundaries of Neighborhood Empowerment Zone #1 (NEZ), as described in Exhibit "A," Area "A" to expand and include the geographical area along Friendswood Drive from Castlewood to Cowards Creek as described in Exhibit "A," Area "B." NEZ#1 shall include any current and future properties that are zoned Downtown District within Exhibit "A."

Section 2. That the City Council hereby amends Section 4 of Resolution R2008-54, dated June 16, 2008, and declares that the City will waive one-hundred percent (100%) of all fees related to construction and development including zoning, platting, site plan review, building, plumbing, mechanical, electrical, and gas permits and one-hundred percent (100%) of water and waste water impact fees as follows:

Area "A" of NEZ#1 – the City of Friendswood will waive fees for businesses and developers that are "for profit" and that are zoned Downtown District.

Area "B" of NEZ#1 – The City will waive fees for businesses and developers that are "for profit," zoned Downtown District, and that incorporate sidewalk or façade improvements into their overall development plan according to the downtown district zoning guidelines.

Section 3. City Council or their designee will consider waiving fees on a case-by-case basis for other properties located within Exhibit "A" that are not zoned Downtown District, i.e. Planned Unit Development, Multi Family Residential, Single Family Residential, provided that downtown sidewalks or downtown façade improvements are incorporated into their overall development plan.

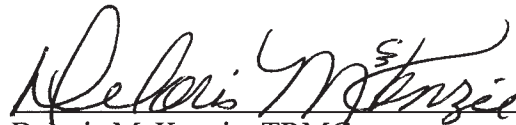
Section 4. That this resolution shall take effect from the date after its passage as the law in such case provides.

PASSED, APPROVED and ADOPTED by the City Council of Friendswood, Texas on this the 15th day of December, 2008.



David J. H. Smith
Mayor

ATTEST:



Deloris McKenzie, TRMC
City Secretary



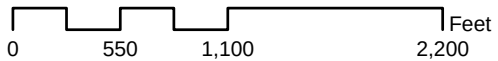
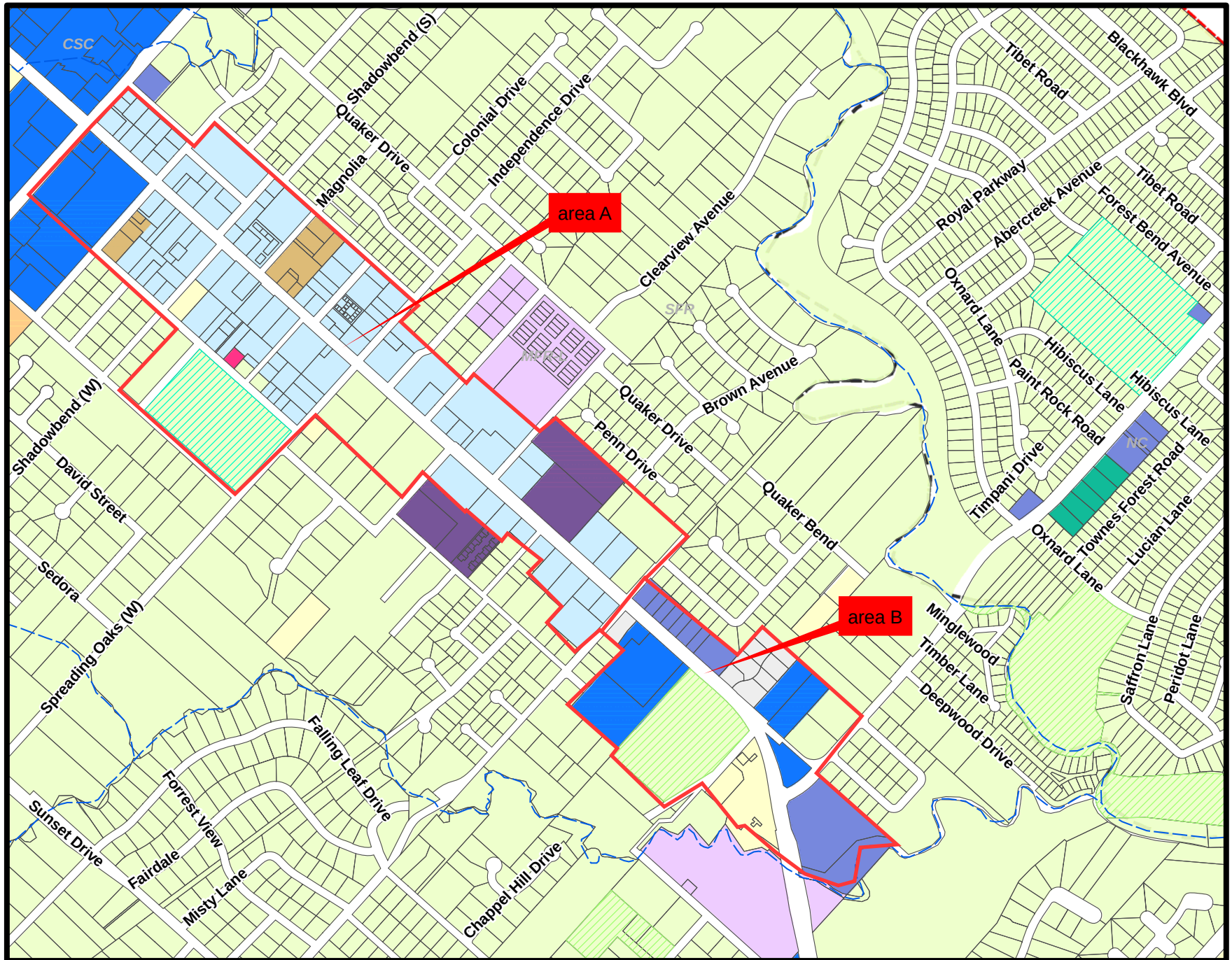
Exhibit A



Legend

Street Names

- Creeks
- ▨ Parks
- ▨ Schools
- ▨ Parcels
- Zoning**
- Zoning**
- SFR
- MFR-L
- MFR-M
- MFR-GHD
- MFR-H
- MHR
- CSC
- NC
- OPD
- DD
- PUD
- PUD Mixed Use
- PUD Commercial
- PUD NonCommercial
- A1
- BP
- LI
- I
- Open Space
- Creek
- City Limits
- Counties



RESOLUTION NO. R2016-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF FRIENDSWOOD, TEXAS, CANVASSING THE RETURNS
AND DECLARING THE RESULTS OF A SPECIAL
ELECTION HELD ON MAY 07, 2016, REGARDING TWO (2)
PROPOSITIONS RELATING TO STREET MAINTENANCE
SALES AND USE TAX AND DOWNTOWN
IMPROVEMENTS SALES AND USE TAX.**

* * * * *

WHEREAS, this City Council ordered an election to be held in said City on May 7, 2016, on the PROPOSITIONS hereinafter stated; and

WHEREAS, said City Council has investigated all matters pertaining to said election, including the ordering, giving notice, appointing election officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to said City Council.

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City Council officially finds and determines that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that the City has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of said election have been made and delivered, and that the City Council has duly canvassed said returns, all in accordance with law and the Resolution calling said election.

Section 2. That the City Council officially finds and determines that the following votes were cast at said election, on the submitted PROPOSITIONS by the resident, qualified electors of said City, who voted at the election:

STREET MAINTENANCE SALES AND USE TAX

FOR	<u>1,485</u>	) THE ADOPTION OF A LOCAL SALES AND USE TAX IN
		) THE CITY OF FRIENDSWOOD, TEXAS AT THE RATE
		) OF THREE-EIGHTHS (3/8) OF ONE PERCENT (1%) TO
AGAINST	<u>925</u>	) PROVIDE REVENUE FOR MAINTENANCE AND REPAIR
		) OF MUNICIPAL STREETS.

DOWNTOWN IMPROVEMENTS SALES AND USE TAX

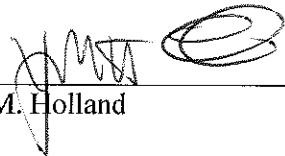
FOR	<u>1,274</u>	) THE ADOPTION OF A TYPE B LOCAL SALES AND USE
		) TAX IN THE CITY OF FRIENDSWOOD, TEXAS AT THE
AGAINST	<u>1,135</u>	) RATE OF ONE-EIGHTH (1/8) OF ONE PERCENT (1%) TO
		) UNDERTAKE PROJECTS AUTHORIZED UNDER
		) CHAPTER 505 OF THE LOCAL GOVERNMENT CODE,
		) TO PROMOTE NEW OR EXPANDED BUSINESS
		) ENTERPRISES IN THE DOWNTOWN AREA AS DEFINED
		) BY THE CITY OF FRIENDSWOOD DOWNTOWN
		) DISTRICT MAP, INCLUDING BUT NOT LIMITED TO
		) STREETS, TARGETED INFRASTRUCTURE, PAVED
		) SIDEWALKS, PEDESTRIAN AMENITIES INCLUDING
		) LIGHTING, BENCHES, SIGNAGE, AND OTHER
		) RELATED PUBLIC IMPROVEMENTS, AND THE
		) MAINTENANCE AND OPERATIONS EXPENSES FOR
		) ANY OF THE ABOVE-DESCRIBED PROJECTS.

Section 3. That the City Council finds and determines that the sales and use tax propositions carried at the election, and that the City Council is accordingly authorized to levy the sales and use tax in accordance with the authority granted in the propositions and with the law. The City Council shall subsequently adopt, by separate action, an ordinance adopting, imposing, and levying the approved sales and use taxes at the rates provided for in the propositions as approved by the voters.

Section 4. The City Secretary is authorized and directed to send to the Texas State Comptroller of Public Accounts by United States certified or registered mail, a certified copy of

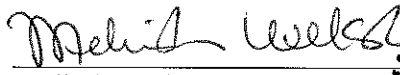
this Resolution, along with a map of the City, clearly showing the boundaries of the City and, upon its adoption, a certified copy of the Sales Tax Levy Ordinance, as required by Section 321.405 of the Texas Tax Code.

PASSED, APPROVED, AND RESOLVED this 16th day of May, 2016.

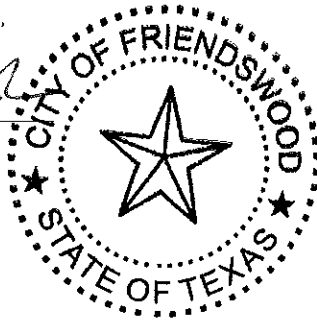


Kevin M. Holland
Mayor

ATTEST:



Melinda Welsh, TRMC
City Secretary



CERTIFICATE FOR RESOLUTION

**THE STATE OF TEXAS
COUNTIES OF GALVESTON AND HARRIS
CITY OF FRIENDSWOOD**

§
§
§

We, the undersigned officers of the City Council of said City, hereby certify as follows:

1. The City Council of the City convened in a REGULAR MEETING ON THE 16TH DAY OF MAY, 2016, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of the Council, to wit:

Kevin M. Holland, Mayor
Billy J. Enochs
Steve Rockey
Jim Hill, Mayor Pro-Tem
Patrick J. McGinnis, MD
John H. Scott
Carl W. Gustafson

Melinda Welsh, City Secretary
Roger Roecker, City Manager

and all of the persons were present, except the following absentees: None, except thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written

RESOLUTION CANVASSING A TAX ELECTION

was duly introduced for the consideration of the Council. It was then duly moved and seconded that the Resolution be passed; and, after due discussion, the motion, carrying with it the passage of the Resolution, prevailed and carried by the following vote:

AYES: All members of said Council shown present above voted "Aye",
except as noted below:

NOES: 0

ABSTENTIONS: 0

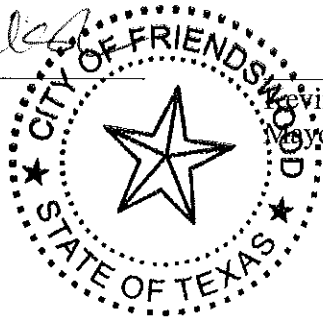
2. That a true, full and correct copy of the aforesaid Resolution passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Resolution has been duly recorded in the Council's minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Council's minutes of the Meeting pertaining to the passage of the Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the

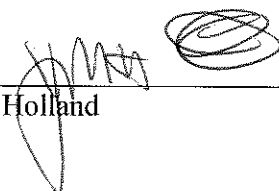
Council as indicated therein; that each of the officers and members of the Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, and each of the officers and members consented, in advance, to the holding of the Meeting for such purpose; that the Meeting was open to the public and public notice of the time, place and purpose of the Meeting as given, all as required by Chapter 551, Government Code.

SIGNED the 16th day of MAY, 2016



Melinda Welsh, TRMC
City Secretary




Kevin M. Holland
Mayor

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Section 7. - Schedule of district regulations.

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 ~~P~~lanning and ~~Z~~oning ~~C~~ommission.

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.

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 shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass, or lap sided cement fiberboard.~~ ~~Sheet Fiber~~ cement ~~fiberboards/siding~~ are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.

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 ~~p~~lanning and ~~Z~~oning ~~C~~ommission 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.
- (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 ~~P~~Planning and ~~Z~~zoning ~~C~~commission and city council in accordance with the notification procedure set forth for a rezoning application. Following the public hearing, the ~~P~~Planning and ~~Z~~zoning ~~C~~commission shall forward the plan with its recommendation to the city council for consideration. The ~~P~~Planning and ~~Z~~zoning ~~C~~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.

(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.

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Section 8. - Supplementary district regulations.

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- 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.
- a. 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.
- ~~b. Downtown district parking. To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Head-in parking may be allowed in the DD with the approval of the commission, upon recommendation of the city engineer, in areas at least 400 feet from FM 518 and/or FM 2351. No on-street parking shall be allowed on FM 518 or on FM 2351 within the DD. Parking spaces and parking lot geometrics shall comply with the requirements of the current design criteria.~~
- ~~Off-street loading regulations. The intent of this section is to ensure that an adequate off-street loading area is provided with the construction, alteration, or change of use of any business building or structure, or with any change in land use.~~
- ~~b1.~~ 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.
- ~~c2.~~ 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 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.

~~Modification of standards proposed within a PUD.~~

- ~~1. 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.~~
- ~~2. 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.~~

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.

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. ~~Each such~~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.

(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.

...

- 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 section 6.D.

1. *Geographic limits.* The geographic limits of the downtown district are as shown on the downtown district map. All properties within these geographic limits may rezone to downtown zone. Those properties outside the geographic limits may not rezone to the downtown zone.

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.

a. Off-site parking shall be allowed if within one block of the development. For purposes of this subsection, one block shall constitute no less than 300 linear feet and no more than 1,200 linear feet.

b. Shared parking areas shall be allowed.

c. Shared access agreements shall be required between adjacent developments.

d. ~~On-street parking shall be in accordance with subsection F.I.C., shown previously in this appendix.~~ On street, head-in parking may be allowed in the DD with the approval of the Planning and Zoning Commission, upon recommendation of the city engineer, in areas at least ~~75400~~ feet from FM 518 and/or FM 2351. No on street parking shall be allowed on FM 518 or on FM 2351 within the DD.

e. Development plans shall indicate how freight and goods will be delivered.

f. Development plans shall show the design and layout for all parking. Documentation shall be provided to verify authority for all shared or off-site parking.

g. All such required documentation shall be presented before a development plan is approved.

h. 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.

- i. All planted islands shall have curbs of sufficient height and width to contain the planted island.
- j. 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.
- k. 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.
- l. 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.
- m. 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.
- n. All plants shall receive proper irrigation to encourage deep root growth and survivability.

4. *Architectural standards.*

- a. Buildings in the DD shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass,~~ or lap sided cement fiberboard. ~~Sheet Fiber-cement fiberboards/siding~~ are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.
- b. Exterior facades, including the roof, shall be limited to earth tone colors. Color samples shall be submitted as part of the commercial site plan. Earth tone colors depict the colors in nature; they include flat and muted shades of brown, green, blue, orange, and some reds and tans.
- ~~c~~b. Fenestration shall mean the openings in a wall, such as doors and windows, to include faux windows whether transparent or not. Such windows may be inoperative but must be framed as a window and otherwise appear to be a window. Painted openings would not be counted in fenestration calculations. Fenestration along front or other facades visible to the public shall be as follows:
 - (1) Walls visible to the public shall have windows and or doors (i.e., no blank walls allowed).
 - (2) Not less than 40 percent fenestration shall be provided for all ground floor primary facades (front or side) that face a public right-of-way.
 - (3) Not less than 25 percent fenestration shall be provided for all upper floor facades ~~(upper floors and those not facing a public right-of-way).~~
- ~~d~~e. Awnings and canopies are allowed upon approval of the ~~p~~lanning and ~~Z~~oning ~~e~~Commission.
- ~~e~~d. Fenestration calculations.
 - (1) Area of ground floor primary wall ~~(front or side)~~ facing ROW x 40 percent = minimum fenestration.
 - (2) Area of upper floor ~~or floor not facing ROW~~ x 25 percent = minimum fenestration.
- f. Garage bays or other similar large openings designed for automotive or industrial work, or designed for vehicles to drive into, shall not front FM 518 or FM 2351 within the Downtown

District boundary. This prohibition shall not include drive-thrus such as are typically found at banks for fast-food establishments. In the event that this requirement overlaps at an intersection, the architectural requirement regarding garage bays shall apply only to the frontage on one street as designated on the site plan.

5. *Screening.*

- a. Mechanical equipment, such as roof top equipment, compressors, refrigeration units and trash enclosures, outside storage, and other nonpublic service areas that are visible from a public area, shall be screened to a height sufficient to completely screen the use from view at ground level. The term "view at 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 street or streets.
- b. 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 constructed of the same materials as the building on the lot. Cyclone fences are prohibited. Under limited circumstances, the Planning and Zoning Commission may approve a vinyl coated cyclone fence.
- c. See Section 8.L. for additional dumpster screening requirements.

6. *Sidewalks.*

- a. Each development along FM 2351 and FM 518 shall provide a minimum 15-foot-wide parkway adjacent to the street right-of-way. The 15-foot parkway must contain an unobstructed brick-paved sidewalk, as described in Appendix E of the Design Criteria Manual, at least eight feet wide and a seven-foot wide landscape area.
- b. Each development along all other streets within the downtown district shall provide a concrete sidewalk built in accordance with city standard specifications and shall be a minimum of six feet in width. Concrete sidewalks shall be built within the street right-of-way and adjacent to the right-of-way lines.
- c. If sidewalks cannot be placed wholly within the right-of-way and must be placed on private property, easements of the appropriate width shall be required.

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.
- (1) Trees shall be provided every 25 linear feet. Trees used in the 15-foot parkway shall be Class 2 or Class 3 trees from the city's qualified tree list, and other landscaping material such as bushes and/or groundcover may be used. The tree and landscaping material shall be maintained in living condition. One-half of the trees shall have a minimum caliper of four inches and one-half shall have 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.)
- (2) Amenities shall be provided in accordance with the design criteria manual, Exhibit E, Downtown District Amenities. A minimum of two lights and two benches are required within the 15-foot parkway of each development. All provided amenities shall be permanently maintained by the property owner, including the brick-paved sidewalks.

- b. Developments along all other streets within the downtown district shall have a minimum ten-foot landscaped buffer located on private property and not less than one tree, whether existing or planted, shall be planted and maintained for each 25 lineal feet or portion thereof. Each such tree 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. Alternate sidewalk, landscape and amenity designs specific to the site or the function of the development within the downtown district may be considered by the Planning and Zoning Commission if it determines that the proposed alternative sidewalk is not narrower than six feet and provides, respectively:
 - (i) Equal or better pedestrian access to and along the development property;
 - (ii) Equal or enhanced landscape beautification for the development; or
 - (iii) Equal or better design amenities than otherwise required herein.

d. See Section 8.I. for additional information on maintenance and preservation of trees.

8. Adjacent property, buffer maintenance and installation.

- a. When a commercial use is established on a lot or premises located adjacent to any residential 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 commercial property between it and the adjacent protected property.
- b. 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 Planning and Zoning 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, with Planning and Zoning Commission approval.
- c. 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 Planning and Zoning 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 Planning and Zoning 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.
- d. 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.

9. Utilities.

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

APPENDIX E

Downtown District Amenities

Streetscape furnishings, as required by City of Friendswood Code of Ordinances, Appendix C – Zoning Ordinance for the Downtown District, are important functional elements and amenities. They should be of high quality, designed for outdoor use, and require minimal maintenance. All provided amenities shall be permanently maintained by the property owner, including paved walkways.

SEATING

Seating should be durable and comfortable. Sharp edges and poorly designed or fabricated furniture should be avoided. Metal is the required material. The seating design should complement other furnishings. All seating should be secured permanently to paved surfaces for safety and to avoid vandalism. The bench below is the preferred model; however, other benches of similar size and features may be approved by the Planning and Zoning Commission.



Manufacturer: Webcoat Products
Product: Metal benches
Model: B5WBCLASSIC
Size: 5'
Color/finish: Black finish
Aluminum frame w/contoured backs

TREE WELLS

Tree wells are an attractive way to protect trees planted in paved areas. Appropriate tree grates and tree wells should be similar to the following:



TREE GRATES

Manufacture: Neenah Foundry Company
Product: Tree grate
Model: ASTM A-48, Metropolitan Series



TREE WELLS

LIGHT POLES

Lighting plays an important part in the character, function, and security of a streetscape. It should be consistent with other streetscape elements and integrate the historic nature of the Downtown District. Light poles shall be the “Bishop’s Crook” style. The light pole below is the preferred model; however, other light poles of similar size and features may be approved by the Planning and Zoning Commission.

	Manufacturer:	Hadco
	Product:	Aluminum Pole w/Teardrop Fixture
	Color/finish:	Black powder coat
		Lighting must be metal halide or LED with full cutoff or semi cutoff fixtures that emits 7,000 to 8,000 lumen, or the equivalent thereof, and 5,000 to 6,000K (Kelvin – color temperature).

Lamp height maximum shall be 12’. Lamp height minimum shall be 10’. Lamp shall be positioned towards the rights-of-way to illuminate the public walkway.

Lamp height is the actual lamp height above ground measured at the bottom of the lamp fixture, where the globe or bulb begins.

TRASH RECEPTACLES

Trash receptacles should be easily accessible for pedestrians and trash collection. They must be placed to be unobtrusive yet effective and their design should relate to other site furnishings. Trash receptacles should be firmly attached to paving to avoid vandalism. They should include covered tops and sealed bottoms to keep contents dry and out of sight at all times. Appropriate trash receptacles should be similar to the following:

	Manufacturer:	Victor Stanley, Inc.
	Product:	Trash receptacle
	Model:	Steelsites RB series
	Color/finish:	Black finish TGIC polyester powder coat

PAVERS

Brick pavers must be used to construct the required brick-paved sidewalk in accordance with the specifications below. The paver color and pattern below is the preferred design; however, other pavers of similar colors and patterns may be approved by the Planning and Zoning Commission.

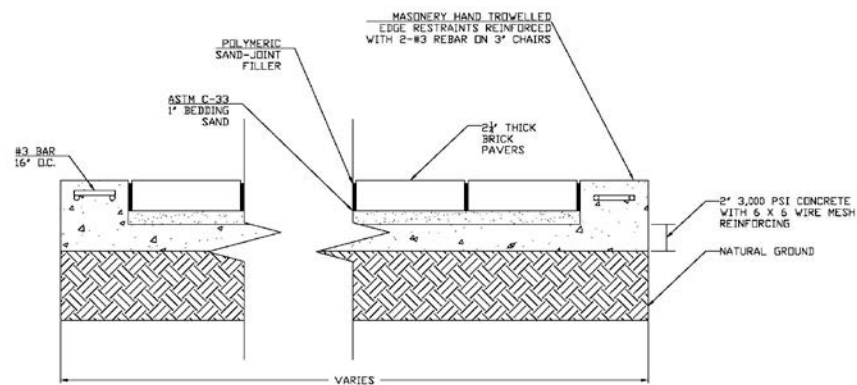
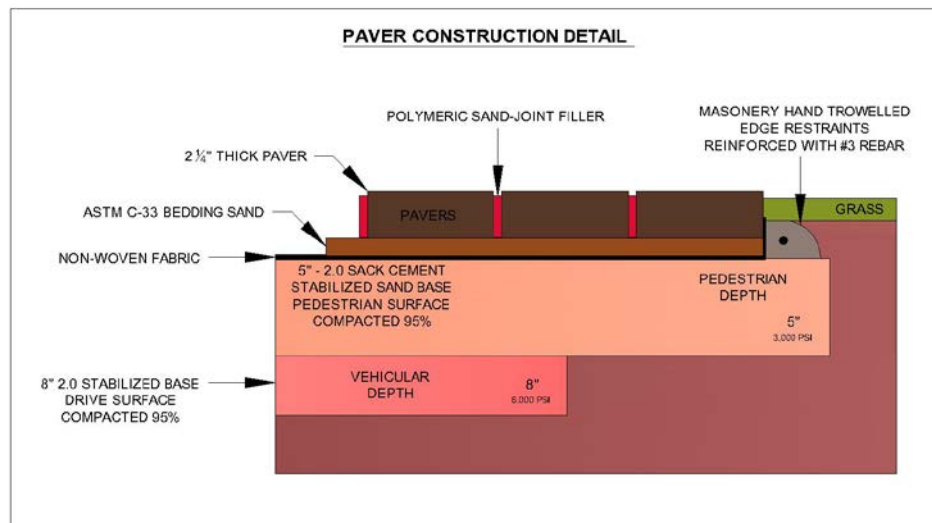
	Manufacturer:	Pine Hall Brick Company, Inc.
	Product:	Pavers
	Model:	Pathway Series, Full Range
	Size:	4" W x 8" L x 2 1/4" thick
	Color:	Red
	Pattern:	Stretcher Bond

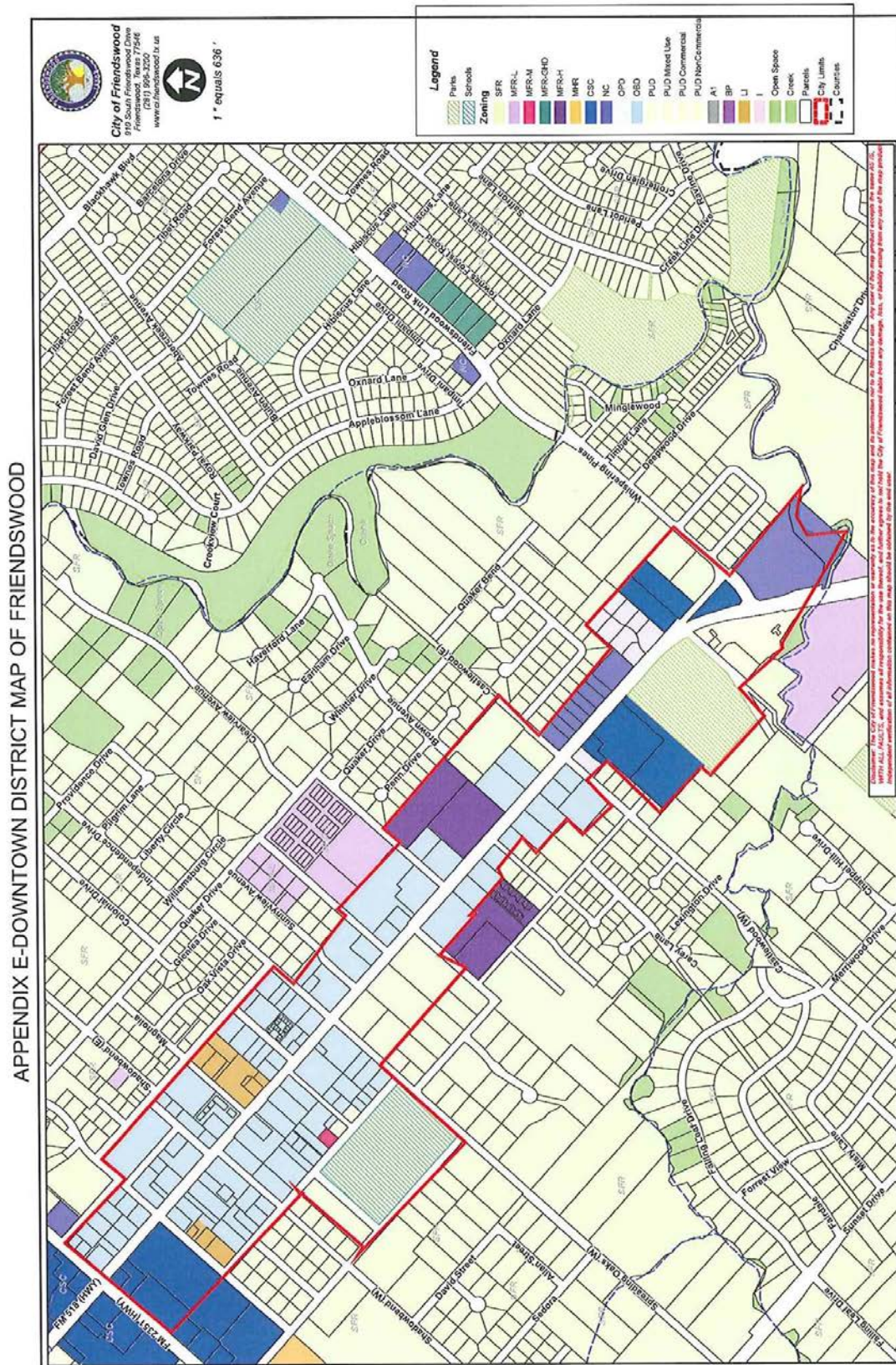
Brick pavers must be set on a sand base with a concrete border as stated below and shown on the attached construction detail drawing. No concrete or stamped concrete is allowed for the sidewalk surface.

Paver installation specs:

- 5" of 2.0 sack cement stabilized sand base
- Non-woven fabric weed block
- 1" of ASTM C-33 bedding sand
- 2 1/4" thick brick unit paver
- Polymeric joint sand
- Masonry hand troweled edge restraints reinforced with #3 rebar

If the pavers are a part of a drive surface for vehicular traffic, an 8" 2.0 stabilized base drive surface, compacted 95% must be installed below the 5" of 2.0 sack cement stabilized sand base.





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.*

	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
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							O			O	O	S	P	S

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	S		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
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	Transportation and Warehousing															
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	Information															
511	Publishing industries										O	S		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
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							P	P		P	P		P	P	P

[illegible]

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 elderly (without on-site nursing)	S1	S1					S	S		O	S				
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	S	S	S	S	S	S	P	S		O	P	S	S	S	S

	similar institutions											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			S		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							S			O	O		S	P	P	

[illegible]

Appendix A - SIGNS^[1]

Sec. 9. - Prohibited signs.

Signs of the following nature are expressly prohibited unless specifically authorized by this appendix:

- a. Billboards, including, but not limited to, new off-premises CEVMSs. Exception: existing billboards may be converted to CEVMSs, provided that they meet the requirements in section 26.f.
- b. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character as will offend public morals or decency.
- c. Obsolete signs.
- d. Animated signs.
- e. Signs that contain or have attached thereto banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, flash tags or other similar devices.
- f. Signs attached to exposed amenities, such as benches or trash containers.
- g. Any stereopticon or motion picture machine used in conjunction with or attached to any sign in such a manner as to permit the images projected therefrom to be visible from any public street or sidewalk.
- h. Snipe signs.
- i. Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential area.
- j. Signs placed on private property without the consent of the owner of the property.
- k. Flashing signs.
- l. Ground signs, except monument signs.
- m. In the Downtown District Boundary, no miniature, mini, Christmas, rope string lights, exposed LED storefront lights or other similar lighting in or framing windows (interior or exterior), including attached to the window frames with the exception of holiday lighting from November 15 to January 15.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix C Zoning Ordinance "Section 8. F. Off-street parking and loading regulations" to relocate DD related language to "Section 8.N.3. Parking" and amendments to reduce the head in parking distance requirement from 400 feet to 75 feet, including minor grammatical corrections

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: Joint Public Hearing

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required: Amount Budgeted:

Appropriation Required: Source of Funds:

FINANCE APPROVAL:

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission. For reference, the original "Downtown District Review and Recommendations Linked Document" is provided in the back up materials. Some of the recommendations may have changed.

Review Item: reduce distance requirement from FM 518 for on-street, head-in parking from 400 feet

The recommendation is to reduce the 400ft distance requirement to 75 feet, which is consistent with the spacing requirements for a driveway from a major thoroughfare per the standards in the Design Criteria Manual.

Additionally, staff drafted some changes in relocating language for clarity and duplicating parking requirements that pertain to the Downtown District to the section of the Zoning Ordinance that includes the supplemental requirements for the DD zoning district.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and

restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Redlines – DD Parking Amendments](#)

[Downtown District Review and Recommendations Linked Document](#)

Gray Highlight and strikethrough – language relocated

Gray Highlight – language copied

Green Text – new location of relocated or copied text

Section 8. - Supplementary district regulations.

...

- 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 ~~D~~design ~~Criteria~~ Manual.
- a. 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.
- ~~b. Downtown district parking. To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Head-in parking may be allowed in the DD with the approval of the commission, upon recommendation of the city engineer, in areas at least 400 feet from FM 518 and/or FM 2351. No on-street parking shall be allowed on FM 518 or on FM 2351 within the DD. Parking spaces and parking lot geometrics shall comply with the requirements of the current design criteria.~~
- ~~b1. 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.~~
- c2. 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 is determined that the proposed loading and unloading facilities will present a direct or indirect hazard to vehicular or pedestrian traffic.
- G. ~~Reserved. Off-street loading regulations. The intent of this section is to ensure that an adequate off-street loading area is provided with the construction, alteration, or change of use of any business building or structure, or with any change in land use.~~
- ~~1. 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.~~
- ~~2. 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 is determined that the proposed loading and unloading facilities will present a direct or indirect hazard to vehicular or pedestrian traffic.~~

Section 8. Supplementary district regulations.

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 ~~D~~esign ~~C~~riteria Manual.

- a. ~~Off-site parking shall be allowed if within one block of the development. For purposes of this subsection, one block shall constitute no less than 300 linear feet and no more than 1,200 linear feet.~~
- b. ~~Shared parking areas shall be allowed.~~
- c. ~~Shared access agreements shall be required between adjacent developments.~~
- d. ~~On-street parking shall be in accordance with subsection F.I.C., shown previously in this appendix.~~ On street, head-in parking may be allowed in the DD with the approval of the Planning and Zoning Commission, upon recommendation of the city engineer, in areas at least ~~75400~~ feet from FM 518 and/or FM 2351. No on street parking shall be allowed on FM 518 or on FM 2351 within the DD.
- e. ~~Development plans shall indicate how freight and goods will be delivered.~~
- f. ~~Development plans shall show the design and layout for all parking. Documentation shall be provided to verify authority for all shared or off-site parking.~~
- g. All such required documentation shall be presented before a development plan is approved.

Downtown District (DD) Zoning Regulations Review and Proposed Amendments

Subject	Current Requirement	Request	Recommendation	Applicable Attachments	Changes
Downtown District Boundary Established in 2008: Ordinance 2007-18 Ordinance 2008-30	Properties outside the Downtown District Boundary cannot change to DD zoning. See yellow highlight in the attachment.	To incorporate 110 Whispering Pines into DD Boundary; also review other boundaries for potential changes.	Not recommended due to complexity that would be created by changing the boundary in regards to the expenditure of 4B sales tax and application of the Neighborhood Empowerment Zone (NEZ).	DD Boundary Map Zoning Ordinance Section 8.N. Resolution 2008-103: Neighborhood Empowerment Zone (NEZ) Amendment Resolution 2016-10: Canvass of Sales Tax Election	No
Buffer Requirements - copy to DD section	Gray highlight and Green Text	n/a	Copy language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.I. to Section 8.N.	Yes
Parking Requirements - move to DD section	Gray Highlight and Green Text	n/a	Relocated language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.F. to Section 8.N.	Yes
Head-In, on-street parking	Currently allowed 400ft from FM 518 or FM 2351	Allow head in parking closer to FM 518 or FM 2351.	Change to 75 feet - same as driveway spacing from a major thoroughfare requirement in Design Criteria Manual.	Zoning Ordinance Section 8.N.3.d	Yes
Façade materials	cement fiber board is prohibited	Allow cement fiber board installed as lap siding; not flat sheets.	Allow cement fiber board installed as lap siding.	Zoning Ordinance Section 7.I. Zoning Ordinance Section 8.N.4.	Yes
Fenestration	40% on ground floors facing ROW; 25% on upper floors and those not facing a ROW	Reduce requirement for facades facing interior of lots and adjacent to residential development.	Leave 40% requirement on first floor; eliminate 25% fenestration requirement on lower floors not facing a right-of-way.	Zoning Ordinance Section 8.N.4.	Yes

Downtown District (DD) Zoning Regulations Review and Proposed Amendments

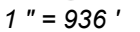
Community Overlay District (COD) vs. Downtown District (DD)	Aesthetic requirements are more stringent in the COD; review and determine which requirements, if any, should also be applicable to DD	Review requirements of the Community Overlay District (COD) and determine if those should also be incorporated into DD.	Add the following requirements: underground utilities bay doors not facing thoroughfares earth tone colors screening materials same as building add reference to dumpster screening requirements	Zoning Ordinance Section 8.N.4.	Yes
Permitted Uses	See Permitted Use Table	Review uses allowed in DD.	No changes recommended at this time.	Zoning Ordinance Section 7.P.6.	No
Pedestrian Lighting	Minimum 2 lights; Design Criteria Manual details type of light required	Review in relation to DD Improvement Plan by FDEDC.	No changes at this time; waiting on additional info from FDEDC.	Design Criteria Manual - Appendix E	No
PUD Modification (clean up - relocating existing language)		A portion of the PUD requirements was relocated in the Zoning Ordinance, but the modification section was not relocated.	Move to correct location in Zoning Ordinance.	Move from Section 8.H. to Section 7.J.	Yes
Signs LED lighting in storefront windows	No regulation	LED lighting in storefront windows detracts from the decorative, pedestrian lighting being installed in DD.	In DD only, prohibit neon signs and LED or similar lighting in windows; make effective 90 days from ordinance adoption; require existing businesses to remove; exception holiday lighting from Nov. 15 to Jan. 15.	Appendix A Sign Ordinance	Yes

Web Links to full Ordinances:

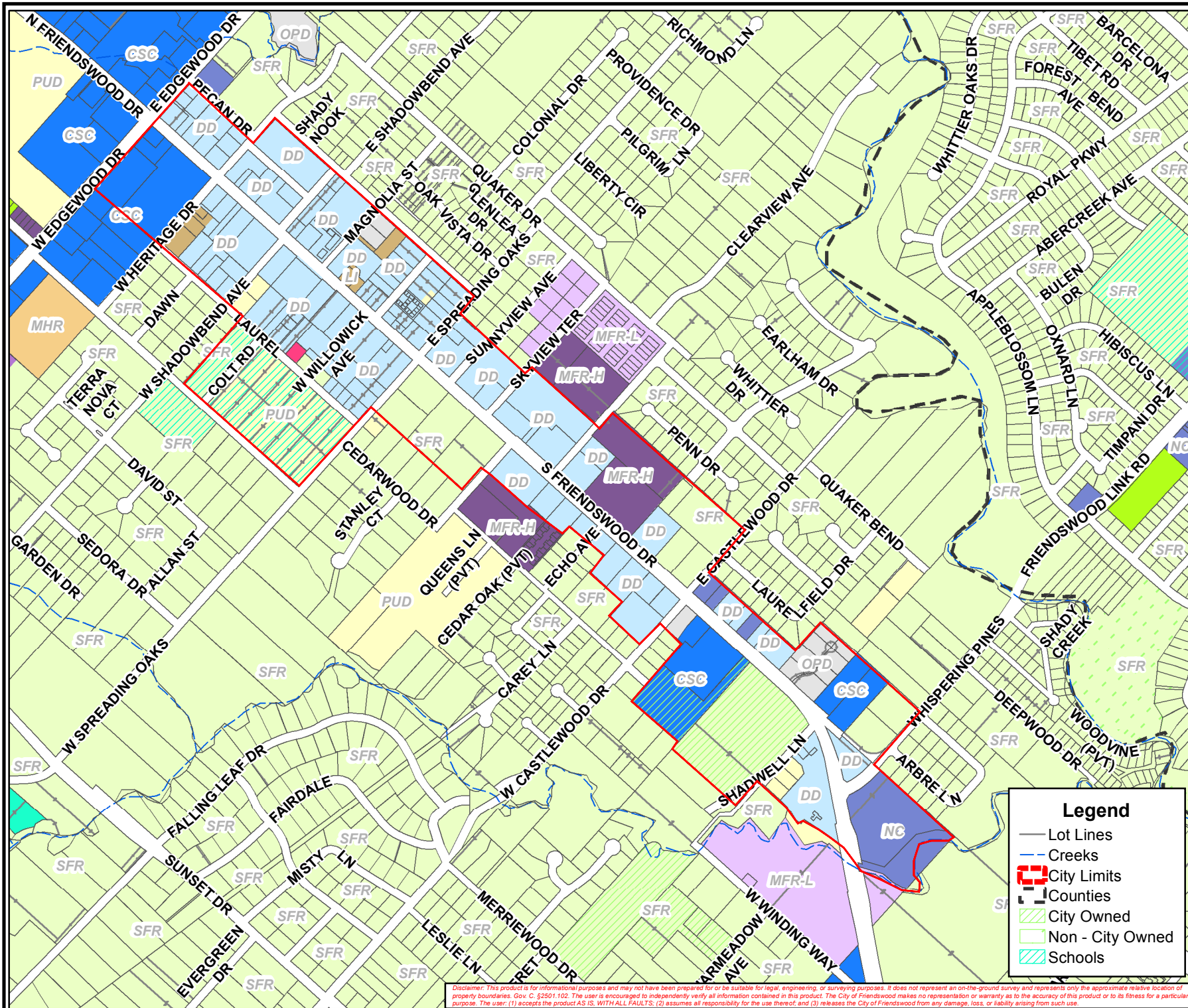
[Appendix C Zoning Ordinance](#)

[Appendix A Sign Ordinance](#)

[Design Criteria Manual](#)



Friendswood GIS Mapping



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

RESOLUTION R2008-103

A RESOLUTION OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING RESOLUTION R2008-54 CREATING NEIGHBORHOOD EMPOWERMENT ZONE #1 BY FURTHER DEFINING THE ZONE'S GEOGRAPHICAL BOUNDARIES AND THE IMPROVEMENTS THAT ARE ELIGIBLE FOR INCENTIVES.

* * * * *

WHEREAS, the City of Friendswood created Neighborhood Empowerment Zone #1 in accordance with state law on June 16, 2008, to provide certain economic development incentives for the downtown area with the purpose of encouraging private investment and reinvestment of sustainable neighborhoods and businesses in the City; and

WHEREAS, the City Council of the City of Friendswood, Texas, desires to amend Resolution R2008-54 that created Neighborhood Empowerment Zone #1 to expand the zone's geographical boundaries and to make provisions for projects to be eligible for certain incentives;

NOW, THEREFORE, BE IT DECLARED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City amends Section 1 of Resolution R2008-54, dated June 16, 2008, modifying the boundaries of Neighborhood Empowerment Zone #1 (NEZ), as described in Exhibit "A," Area "A" to expand and include the geographical area along Friendswood Drive from Castlewood to Cowards Creek as described in Exhibit "A," Area "B." NEZ#1 shall include any current and future properties that are zoned Downtown District within Exhibit "A."

Section 2. That the City Council hereby amends Section 4 of Resolution R2008-54, dated June 16, 2008, and declares that the City will waive one-hundred percent (100%) of all fees related to construction and development including zoning, platting, site plan review, building, plumbing, mechanical, electrical, and gas permits and one-hundred percent (100%) of water and waste water impact fees as follows:

Area "A" of NEZ#1 – the City of Friendswood will waive fees for businesses and developers that are "for profit" and that are zoned Downtown District.

Area "B" of NEZ#1 – The City will waive fees for businesses and developers that are "for profit," zoned Downtown District, and that incorporate sidewalk or façade improvements into their overall development plan according to the downtown district zoning guidelines.

Section 3. City Council or their designee will consider waiving fees on a case-by-case basis for other properties located within Exhibit "A" that are not zoned Downtown District, i.e. Planned Unit Development, Multi Family Residential, Single Family Residential, provided that downtown sidewalks or downtown façade improvements are incorporated into their overall development plan.

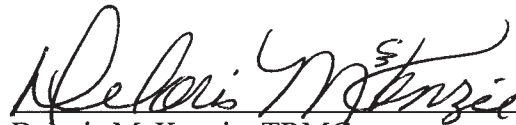
Section 4. That this resolution shall take effect from the date after its passage as the law in such case provides.

PASSED, APPROVED and ADOPTED by the City Council of Friendswood, Texas on this the 15th day of December, 2008.



David J. H. Smith
Mayor

ATTEST:



Deloris McKenzie, TRMC
City Secretary



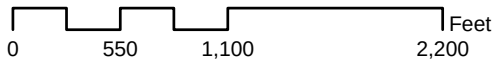
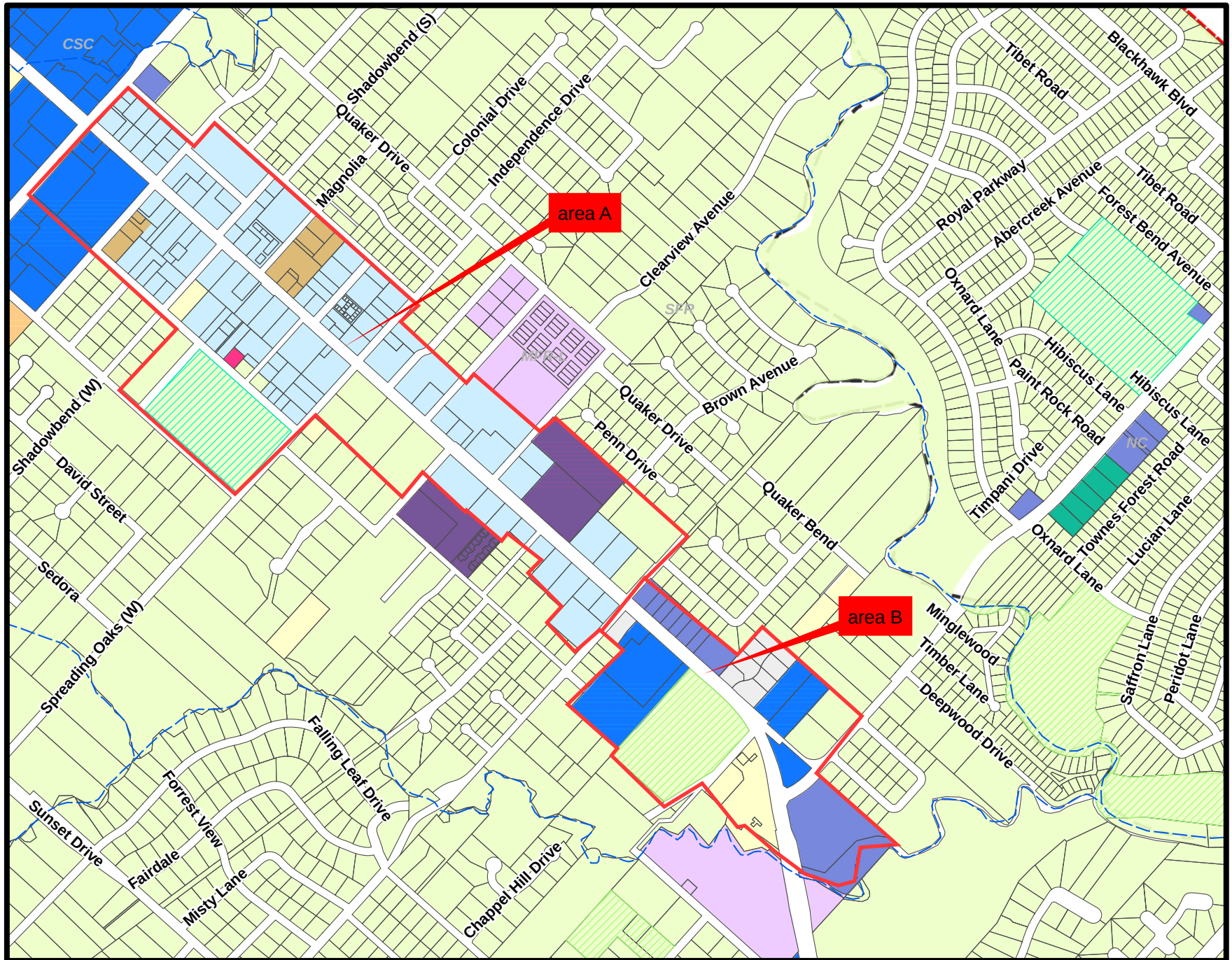
Exhibit A



Legend

Street Names

- Creeks
- ▨ Parks
- ▨ Schools
- ▨ Parcels
- Zoning**
- Zoning**
- SFR
- MFR-L
- MFR-M
- MFR-GHD
- MFR-H
- MHR
- CSC
- NC
- OPD
- DD
- PUD
- PUD Mixed Use
- PUD Commercial
- PUD NonCommercial
- A1
- BP
- LI
- I
- Open Space
- Creek
- City Limits
- Counties



RESOLUTION NO. R2016-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF FRIENDSWOOD, TEXAS, CANVASSING THE RETURNS
AND DECLARING THE RESULTS OF A SPECIAL
ELECTION HELD ON MAY 07, 2016, REGARDING TWO (2)
PROPOSITIONS RELATING TO STREET MAINTENANCE
SALES AND USE TAX AND DOWNTOWN
IMPROVEMENTS SALES AND USE TAX.**

* * * * *

WHEREAS, this City Council ordered an election to be held in said City on May 7, 2016, on the PROPOSITIONS hereinafter stated; and

WHEREAS, said City Council has investigated all matters pertaining to said election, including the ordering, giving notice, appointing election officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to said City Council.

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City Council officially finds and determines that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that the City has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of said election have been made and delivered, and that the City Council has duly canvassed said returns, all in accordance with law and the Resolution calling said election.

Section 2. That the City Council officially finds and determines that the following votes were cast at said election, on the submitted PROPOSITIONS by the resident, qualified electors of said City, who voted at the election:

STREET MAINTENANCE SALES AND USE TAX

FOR	<u>1,485</u>	) THE ADOPTION OF A LOCAL SALES AND USE TAX IN
		) THE CITY OF FRIENDSWOOD, TEXAS AT THE RATE
		) OF THREE-EIGHTHS (3/8) OF ONE PERCENT (1%) TO
AGAINST	<u>925</u>	) PROVIDE REVENUE FOR MAINTENANCE AND REPAIR
		) OF MUNICIPAL STREETS.

DOWNTOWN IMPROVEMENTS SALES AND USE TAX

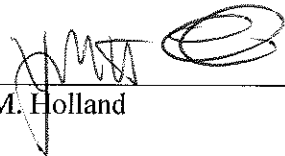
FOR	<u>1,274</u>	) THE ADOPTION OF A TYPE B LOCAL SALES AND USE
		) TAX IN THE CITY OF FRIENDSWOOD, TEXAS AT THE
AGAINST	<u>1,135</u>	) RATE OF ONE-EIGHTH (1/8) OF ONE PERCENT (1%) TO
		) UNDERTAKE PROJECTS AUTHORIZED UNDER
		) CHAPTER 505 OF THE LOCAL GOVERNMENT CODE,
		) TO PROMOTE NEW OR EXPANDED BUSINESS
		) ENTERPRISES IN THE DOWNTOWN AREA AS DEFINED
		) BY THE CITY OF FRIENDSWOOD DOWNTOWN
		) DISTRICT MAP, INCLUDING BUT NOT LIMITED TO
		) STREETS, TARGETED INFRASTRUCTURE, PAVED
		) SIDEWALKS, PEDESTRIAN AMENITIES INCLUDING
		) LIGHTING, BENCHES, SIGNAGE, AND OTHER
		) RELATED PUBLIC IMPROVEMENTS, AND THE
		) MAINTENANCE AND OPERATIONS EXPENSES FOR
		) ANY OF THE ABOVE-DESCRIBED PROJECTS.

Section 3. That the City Council finds and determines that the sales and use tax propositions carried at the election, and that the City Council is accordingly authorized to levy the sales and use tax in accordance with the authority granted in the propositions and with the law. The City Council shall subsequently adopt, by separate action, an ordinance adopting, imposing, and levying the approved sales and use taxes at the rates provided for in the propositions as approved by the voters.

Section 4. The City Secretary is authorized and directed to send to the Texas State Comptroller of Public Accounts by United States certified or registered mail, a certified copy of

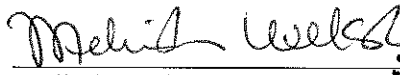
this Resolution, along with a map of the City, clearly showing the boundaries of the City and, upon its adoption, a certified copy of the Sales Tax Levy Ordinance, as required by Section 321.405 of the Texas Tax Code.

PASSED, APPROVED, AND RESOLVED this 16th day of May, 2016.

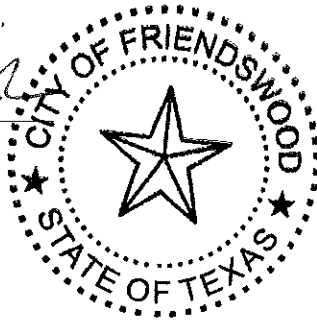


Kevin M. Holland
Mayor

ATTEST:



Melinda Welsh, TRMC
City Secretary



CERTIFICATE FOR RESOLUTION

**THE STATE OF TEXAS
COUNTIES OF GALVESTON AND HARRIS
CITY OF FRIENDSWOOD**

§
§
§

We, the undersigned officers of the City Council of said City, hereby certify as follows:

1. The City Council of the City convened in a REGULAR MEETING ON THE 16TH DAY OF MAY, 2016, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of the Council, to wit:

Kevin M. Holland, Mayor
Billy J. Enochs
Steve Rockey
Jim Hill, Mayor Pro-Tem
Patrick J. McGinnis, MD
John H. Scott
Carl W. Gustafson

Melinda Welsh, City Secretary
Roger Roecker, City Manager

and all of the persons were present, except the following absentees: None, except thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written

RESOLUTION CANVASSING A TAX ELECTION

was duly introduced for the consideration of the Council. It was then duly moved and seconded that the Resolution be passed; and, after due discussion, the motion, carrying with it the passage of the Resolution, prevailed and carried by the following vote:

AYES: All members of said Council shown present above voted "Aye",
except as noted below:

NOES: 0

ABSTENTIONS: 0

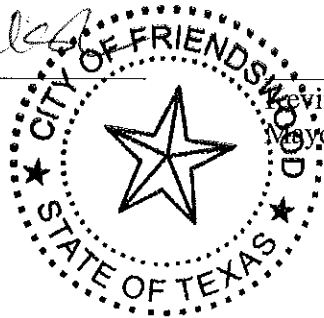
2. That a true, full and correct copy of the aforesaid Resolution passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Resolution has been duly recorded in the Council's minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Council's minutes of the Meeting pertaining to the passage of the Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the

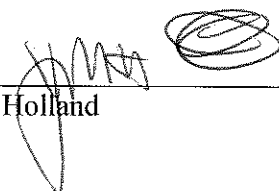
Council as indicated therein; that each of the officers and members of the Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, and each of the officers and members consented, in advance, to the holding of the Meeting for such purpose; that the Meeting was open to the public and public notice of the time, place and purpose of the Meeting as given, all as required by Chapter 551, Government Code.

SIGNED the 16th day of MAY, 2016



Melinda Welsh, TRMC
City Secretary




Kevin M. Holland
Mayor

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Section 7. - Schedule of district regulations.

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 ~~P~~lanning and ~~Z~~oning ~~C~~ommission.

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.

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 shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass, or lap sided cement fiberboard.~~ ~~Sheet Fiber~~ cement ~~fiberboards/siding~~ are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.

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 ~~p~~lanning and ~~Z~~oning ~~C~~ommission 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.
- (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 ~~P~~Planning and ~~Z~~zoning ~~C~~commission and city council in accordance with the notification procedure set forth for a rezoning application. Following the public hearing, the ~~P~~Planning and ~~Z~~zoning ~~C~~commission shall forward the plan with its recommendation to the city council for consideration. The ~~P~~Planning and ~~Z~~zoning ~~C~~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.

(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.

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Section 8. - Supplementary district regulations.

...

- 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.
- a. 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.
- ~~b. Downtown district parking. To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Head-in parking may be allowed in the DD with the approval of the commission, upon recommendation of the city engineer, in areas at least 400 feet from FM 518 and/or FM 2351. No on-street parking shall be allowed on FM 518 or on FM 2351 within the DD. Parking spaces and parking lot geometrics shall comply with the requirements of the current design criteria.~~
- ~~*Off-street loading regulations.* The intent of this section is to ensure that an adequate off-street loading area is provided with the construction, alteration, or change of use of any business building or structure, or with any change in land use.~~
- ~~b1.~~ 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.
- ~~c2.~~ 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 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.

~~Modification of standards proposed within a PUD.~~

- ~~1. 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.~~
- ~~2. 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.~~

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.

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. ~~Each such~~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.

(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.

...

- 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 section 6.D.

1. *Geographic limits.* The geographic limits of the downtown district are as shown on the downtown district map. All properties within these geographic limits may rezone to downtown zone. Those properties outside the geographic limits may not rezone to the downtown zone.

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.

a. Off-site parking shall be allowed if within one block of the development. For purposes of this subsection, one block shall constitute no less than 300 linear feet and no more than 1,200 linear feet.

b. Shared parking areas shall be allowed.

c. Shared access agreements shall be required between adjacent developments.

d. ~~On-street parking shall be in accordance with subsection F.I.C., shown previously in this appendix.~~ On street, head-in parking may be allowed in the DD with the approval of the Planning and Zoning Commission, upon recommendation of the city engineer, in areas at least ~~75400~~ feet from FM 518 and/or FM 2351. No on street parking shall be allowed on FM 518 or on FM 2351 within the DD.

e. Development plans shall indicate how freight and goods will be delivered.

f. Development plans shall show the design and layout for all parking. Documentation shall be provided to verify authority for all shared or off-site parking.

g. All such required documentation shall be presented before a development plan is approved.

h. 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.

- i. All planted islands shall have curbs of sufficient height and width to contain the planted island.
- j. 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.
- k. 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.
- l. 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.
- m. 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.
- n. All plants shall receive proper irrigation to encourage deep root growth and survivability.

4. *Architectural standards.*

- a. Buildings in the DD shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass,~~ or lap sided cement fiberboard. ~~Sheet Fiber~~ cement fiberboards/siding are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.
- b. Exterior facades, including the roof, shall be limited to earth tone colors. Color samples shall be submitted as part of the commercial site plan. Earth tone colors depict the colors in nature; they include flat and muted shades of brown, green, blue, orange, and some reds and tans.
- c. Fenestration shall mean the openings in a wall, such as doors and windows, to include faux windows whether transparent or not. Such windows may be inoperative but must be framed as a window and otherwise appear to be a window. Painted openings would not be counted in fenestration calculations. Fenestration along front or other facades visible to the public shall be as follows:
 - (1) Walls visible to the public shall have windows and or doors (i.e., no blank walls allowed).
 - (2) Not less than 40 percent fenestration shall be provided for all ground floor primary facades (front or side) that face a public right-of-way.
 - (3) Not less than 25 percent fenestration shall be provided for all upper floor facades ~~(upper floors and those not facing a public right-of-way).~~
- d. Awnings and canopies are allowed upon approval of the ~~p~~lanning and ~~Z~~oning ~~e~~Commission.
- e. Fenestration calculations.
 - (1) Area of ground floor primary wall ~~(front or side)~~ facing ROW x 40 percent = minimum fenestration.
 - (2) Area of upper floor ~~or floor not facing ROW~~ x 25 percent = minimum fenestration.
- f. Garage bays or other similar large openings designed for automotive or industrial work, or designed for vehicles to drive into, shall not front FM 518 or FM 2351 within the Downtown

District boundary. This prohibition shall not include drive-thrus such as are typically found at banks for fast-food establishments. In the event that this requirement overlaps at an intersection, the architectural requirement regarding garage bays shall apply only to the frontage on one street as designated on the site plan.

5. *Screening.*

- a. Mechanical equipment, such as roof top equipment, compressors, refrigeration units and trash enclosures, outside storage, and other nonpublic service areas that are visible from a public area, shall be screened to a height sufficient to completely screen the use from view at ground level. The term "view at 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 street or streets.
- b. 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 constructed of the same materials as the building on the lot. Cyclone fences are prohibited. Under limited circumstances, the Planning and Zoning Commission may approve a vinyl coated cyclone fence.
- c. See Section 8.L. for additional dumpster screening requirements.

6. *Sidewalks.*

- a. Each development along FM 2351 and FM 518 shall provide a minimum 15-foot-wide parkway adjacent to the street right-of-way. The 15-foot parkway must contain an unobstructed brick-paved sidewalk, as described in Appendix E of the Design Criteria Manual, at least eight feet wide and a seven-foot wide landscape area.
- b. Each development along all other streets within the downtown district shall provide a concrete sidewalk built in accordance with city standard specifications and shall be a minimum of six feet in width. Concrete sidewalks shall be built within the street right-of-way and adjacent to the right-of-way lines.
- c. If sidewalks cannot be placed wholly within the right-of-way and must be placed on private property, easements of the appropriate width shall be required.

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.
- (1) Trees shall be provided every 25 linear feet. Trees used in the 15-foot parkway shall be Class 2 or Class 3 trees from the city's qualified tree list, and other landscaping material such as bushes and/or groundcover may be used. The tree and landscaping material shall be maintained in living condition. One-half of the trees shall have a minimum caliper of four inches and one-half shall have 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.)
- (2) Amenities shall be provided in accordance with the design criteria manual, Exhibit E, Downtown District Amenities. A minimum of two lights and two benches are required within the 15-foot parkway of each development. All provided amenities shall be permanently maintained by the property owner, including the brick-paved sidewalks.

- b. Developments along all other streets within the downtown district shall have a minimum ten-foot landscaped buffer located on private property and not less than one tree, whether existing or planted, shall be planted and maintained for each 25 lineal feet or portion thereof. Each such tree 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. Alternate sidewalk, landscape and amenity designs specific to the site or the function of the development within the downtown district may be considered by the Planning and Zoning Commission if it determines that the proposed alternative sidewalk is not narrower than six feet and provides, respectively:
 - (i) Equal or better pedestrian access to and along the development property;
 - (ii) Equal or enhanced landscape beautification for the development; or
 - (iii) Equal or better design amenities than otherwise required herein.

d. See Section 8.I. for additional information on maintenance and preservation of trees.

8. Adjacent property, buffer maintenance and installation.

- a. When a commercial use is established on a lot or premises located adjacent to any residential 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 commercial property between it and the adjacent protected property.
- b. 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 Planning and Zoning 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, with Planning and Zoning Commission approval.
- c. 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 Planning and Zoning 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 Planning and Zoning 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.
- d. 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.

9. Utilities.

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

APPENDIX E

Downtown District Amenities

Streetscape furnishings, as required by City of Friendswood Code of Ordinances, Appendix C – Zoning Ordinance for the Downtown District, are important functional elements and amenities. They should be of high quality, designed for outdoor use, and require minimal maintenance. All provided amenities shall be permanently maintained by the property owner, including paved walkways.

SEATING

Seating should be durable and comfortable. Sharp edges and poorly designed or fabricated furniture should be avoided. Metal is the required material. The seating design should complement other furnishings. All seating should be secured permanently to paved surfaces for safety and to avoid vandalism. The bench below is the preferred model; however, other benches of similar size and features may be approved by the Planning and Zoning Commission.



Manufacturer: Webcoat Products
Product: Metal benches
Model: B5WBCLASSIC
Size: 5'
Color/finish: Black finish
Aluminum frame w/contoured backs

TREE WELLS

Tree wells are an attractive way to protect trees planted in paved areas. Appropriate tree grates and tree wells should be similar to the following:



TREE GRATES

Manufacture: Neenah Foundry Company
Product: Tree grate
Model: ASTM A-48, Metropolitan Series



TREE WELLS

LIGHT POLES

Lighting plays an important part in the character, function, and security of a streetscape. It should be consistent with other streetscape elements and integrate the historic nature of the Downtown District. Light poles shall be the “Bishop’s Crook” style. The light pole below is the preferred model; however, other light poles of similar size and features may be approved by the Planning and Zoning Commission.

	Manufacturer:	Hadco
	Product:	Aluminum Pole w/Teardrop Fixture
	Color/finish:	Black powder coat
		Lighting must be metal halide or LED with full cutoff or semi cutoff fixtures that emits 7,000 to 8,000 lumen, or the equivalent thereof, and 5,000 to 6,000K (Kelvin – color temperature).

Lamp height maximum shall be 12’. Lamp height minimum shall be 10’. Lamp shall be positioned towards the rights-of-way to illuminate the public walkway.

Lamp height is the actual lamp height above ground measured at the bottom of the lamp fixture, where the globe or bulb begins.

TRASH RECEPTACLES

Trash receptacles should be easily accessible for pedestrians and trash collection. They must be placed to be unobtrusive yet effective and their design should relate to other site furnishings. Trash receptacles should be firmly attached to paving to avoid vandalism. They should include covered tops and sealed bottoms to keep contents dry and out of sight at all times. Appropriate trash receptacles should be similar to the following:

	Manufacturer:	Victor Stanley, Inc.
	Product:	Trash receptacle
	Model:	Steelsites RB series
	Color/finish:	Black finish TGIC polyester powder coat

PAVERS

Brick pavers must be used to construct the required brick-paved sidewalk in accordance with the specifications below. The paver color and pattern below is the preferred design; however, other pavers of similar colors and patterns may be approved by the Planning and Zoning Commission.

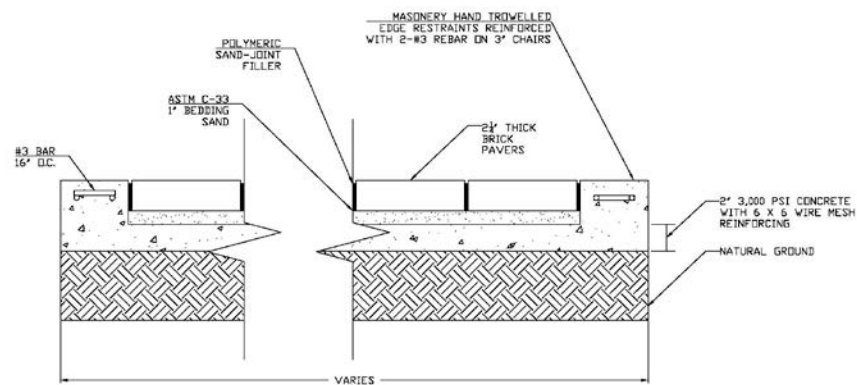
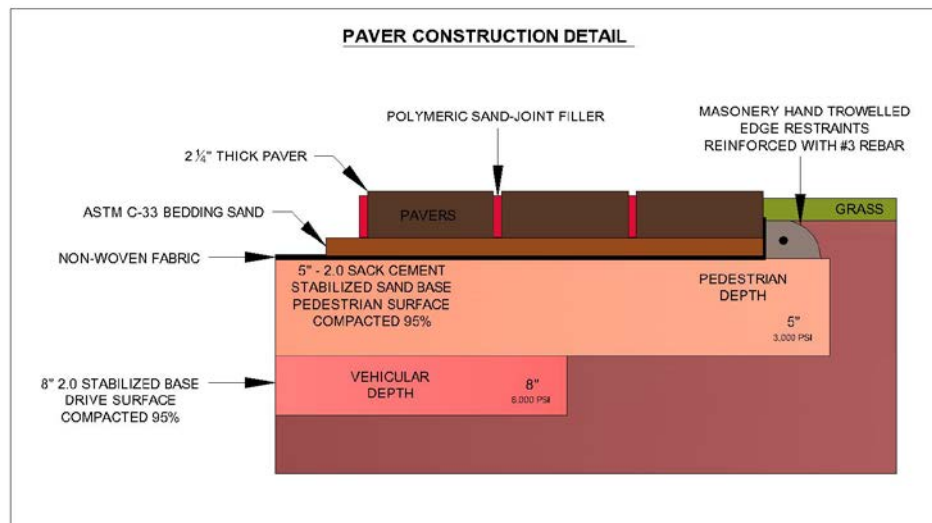
	Manufacturer:	Pine Hall Brick Company, Inc.
	Product:	Pavers
	Model:	Pathway Series, Full Range
	Size:	4" W x 8" L x 2 1/4" thick
	Color:	Red
	Pattern:	Stretcher Bond

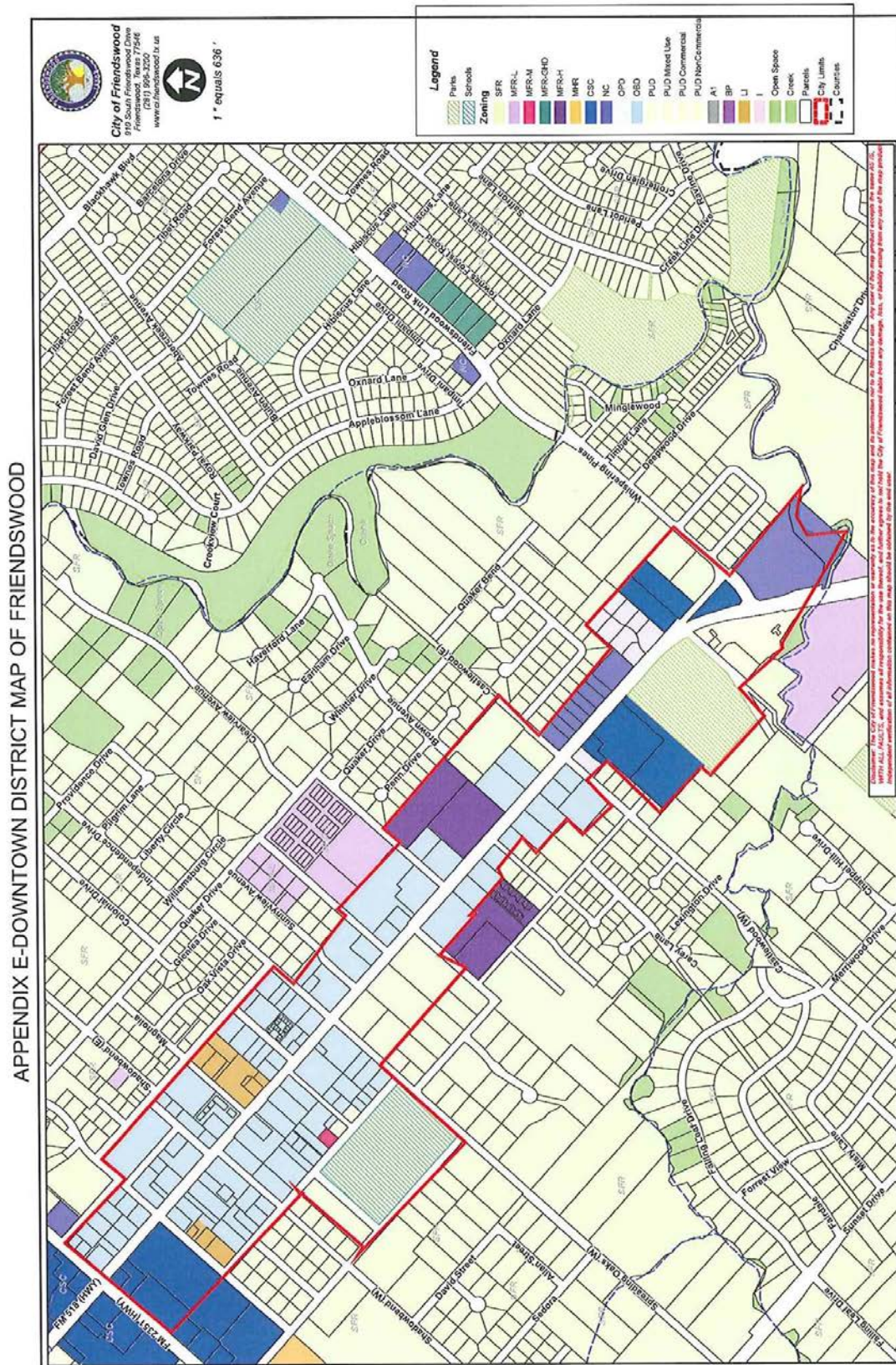
Brick pavers must be set on a sand base with a concrete border as stated below and shown on the attached construction detail drawing. No concrete or stamped concrete is allowed for the sidewalk surface.

Paver installation specs:

- 5" of 2.0 sack cement stabilized sand base
- Non-woven fabric weed block
- 1" of ASTM C-33 bedding sand
- 2 1/4" thick brick unit paver
- Polymeric joint sand
- Masonry hand troweled edge restraints reinforced with #3 rebar

If the pavers are a part of a drive surface for vehicular traffic, an 8" 2.0 stabilized base drive surface, compacted 95% must be installed below the 5" of 2.0 sack cement stabilized sand base.





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.*

	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
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							O			O	O	S	P	S

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	S		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
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	Transportation and Warehousing															
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	Information															
511	Publishing industries										O	S		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
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							P	P		P	P		P	P	P

[illegible]

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 elderly (without on-site nursing)	S1	S1					S	S		O	S				
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	S	S	S	S	S	S	P	S		O	P	S	S	S	S

	similar institutions											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			S		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							S			O	O		S	P	P	

	maintenance										O					
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	

Appendix A - SIGNS^[1]

Sec. 9. - Prohibited signs.

Signs of the following nature are expressly prohibited unless specifically authorized by this appendix:

- a. Billboards, including, but not limited to, new off-premises CEVMSs. Exception: existing billboards may be converted to CEVMSs, provided that they meet the requirements in section 26.f.
- b. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character as will offend public morals or decency.
- c. Obsolete signs.
- d. Animated signs.
- e. Signs that contain or have attached thereto banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, flash tags or other similar devices.
- f. Signs attached to exposed amenities, such as benches or trash containers.
- g. Any stereopticon or motion picture machine used in conjunction with or attached to any sign in such a manner as to permit the images projected therefrom to be visible from any public street or sidewalk.
- h. Snipe signs.
- i. Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential area.
- j. Signs placed on private property without the consent of the owner of the property.
- k. Flashing signs.
- l. Ground signs, except monument signs.
- m. In the Downtown District Boundary, no miniature, mini, Christmas, rope string lights, exposed LED storefront lights or other similar lighting in or framing windows (interior or exterior), including attached to the window frames with the exception of holiday lighting from November 15 to January 15.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix C Zoning Ordinance "Section 7.I." and "Section 8.N.4." to allow cement fiber board installed as lap siding in the Downtown District (DD); "Section 8.N.4." to change the fenestration requirements in the Downtown District (DD), and "Section 8.N.4." to restate that service laterals must be installed underground, prohibit garage bay doors from fronting FM 518 in certain situations, limit exterior building colors to earth tone colors, require that screening materials match the main structure and add a reference to dumpster screening requirements, including minor grammatical corrections

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: Joint Public Hearing

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission. For reference, the original "Downtown District Review and Recommendations Linked Document" is provided in the back up materials. Some of the recommendations may have changed.

Review Item: to allow cement fiberboard in DD, reduce the fenestration requirements, and institute some of the aesthetic criteria from the Community Overlay District into the Downtown District

The recommendation is to allow cement fiber board installed as lap siding only, reduce the fenestration requirement of the interior sides of the first floors, and add the following requirements to DD that already exist in the COD: require underground service laterals, require earth tone colors, prohibit garage bay doors from fronting FM 518 in certain situations, required screening materials to match the main structure and add a reference to the dumpster screening requirements.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Redlines – DD Architectural amendments](#)

[Downtown District Review and Recommendations Linked Document](#)

Allow cement fiber board, installed as lap siding, in Downtown District (DD)

Section 7. - Schedule of district regulations.

- 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 ~~P~~lanning and ~~Z~~oning ~~C~~ommission.
 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.
 - 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 shall have exterior cladding of brick, masonry, stone, stucco, ~~or~~ glass, ~~or lap sided cement fiberboard~~. ~~Sheet Fiber~~ cement ~~fiberboards/siding~~ are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.

Allow cement fiber board, installed as lap siding, in Downtown District (DD), add requirment for earth tone colors, change fenestration requirements, prohibit garage bay doors from fronting FM 518 in certain situations, amend screening requirements

4. *Architectural standards.*
 - a. Buildings in the DD shall have exterior cladding of brick, masonry, stone, stucco, ~~or~~ glass, ~~or lap sided cement fiberboard~~. ~~Sheet Fiber~~ cement ~~fiberboards/siding~~ are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.
 - b. Exterior facades, including the roof, shall be limited to earth tone colors. Color samples shall be submitted as part of the commercial site plan. Earth tone colors depict the colors in nature; they include flat and muted shades of brown, green, blue, orange, and some reds and tans.

~~cb.~~ Fenestration shall mean the openings in a wall, such as doors and windows, to include faux windows whether transparent or not. Such windows may be inoperative but must be framed as a window and otherwise appear to be a window. Painted openings would not be counted in fenestration calculations. Fenestration along front or other facades visible to the public shall be as follows:

- (1) Walls visible to the public shall have windows and or doors (i.e., no blank walls allowed).
- (2) Not less than 40 percent fenestration shall be provided for all ground floor primary facades (front or side) that face a public right-of-way.
- (3) Not less than 25 percent fenestration shall be provided for all upper floor facades ~~(upper floors and those not facing a public right-of-way).~~

~~dc.~~ Awnings and canopies are allowed upon approval of the ~~p~~Planning and ~~Z~~oning ~~c~~Commission.

~~ed.~~ Fenestration calculations.

- (1) Area of ground floor primary wall ~~(front or side)~~ facing ROW x 40 percent = minimum fenestration.
- (2) Area of upper floor ~~or floor not facing ROW~~ x 25 percent = minimum fenestration.

~~f.~~ Garage bays or other similar large openings designed for automotive or industrial work, or designed for vehicles to drive into, shall not front FM 518 or FM 2351 within the Downtown District boundary. This prohibition shall not include drive-thrus such as are typically found at banks for fast-food establishments. In the event that this requirement overlaps at an intersection, the architectural requirement regarding garage bays shall apply only to the frontage on one street as designated on the site plan.

5. Screening.

~~a.~~ Mechanical equipment, such as roof top equipment, compressors, refrigeration units and trash enclosures, outside storage, and other nonpublic service areas that are visible from a public area, shall be screened to a height sufficient to completely screen the use from view at ground level. The term "view at 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 street or streets.

~~b.~~ 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 constructed of the same materials as the building on the lot. Cyclone fences are prohibited. Under limited circumstances, the Planning and Zoning Commission may approve a vinyl coated cyclone fence.

~~c.~~ See Section 8.L. for additional dumpster screening requirements.

6. *Sidewalks.*

- a. Each development along FM 2351 and FM 518 shall provide a minimum 15-foot-wide parkway adjacent to the street right-of-way. The 15-foot parkway must contain an unobstructed brick-paved sidewalk, as described in Appendix E of the Design Criteria Manual, at least eight feet wide and a seven-foot wide landscape area.
- b. Each development along all other streets within the downtown district shall provide a concrete sidewalk built in accordance with city standard specifications and shall be a minimum of six feet in width. Concrete sidewalks shall be built within the street right-of-way and adjacent to the right-of-way lines.
- c. If sidewalks cannot be placed wholly within the right-of-way and must be placed on private property, easements of the appropriate width shall be required.

Downtown District (DD) Zoning Regulations Review and Proposed Amendments

Subject	Current Requirement	Request	Recommendation	Applicable Attachments	Changes
Downtown District Boundary Established in 2008: Ordinance 2007-18 Ordinance 2008-30	Properties outside the Downtown District Boundary cannot change to DD zoning. See yellow highlight in the attachment.	To incorporate 110 Whispering Pines into DD Boundary; also review other boundaries for potential changes.	Not recommended due to complexity that would be created by changing the boundary in regards to the expenditure of 4B sales tax and application of the Neighborhood Empowerment Zone (NEZ).	DD Boundary Map Zoning Ordinance Section 8.N. Resolution 2008-103: Neighborhood Empowerment Zone (NEZ) Amendment Resolution 2016-10: Canvass of Sales Tax Election	No
Buffer Requirements - copy to DD section	Gray highlight and Green Text	n/a	Copy language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.I. to Section 8.N.	Yes
Parking Requirements - move to DD section	Gray Highlight and Green Text	n/a	Relocated language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.F. to Section 8.N.	Yes
Head-In, on-street parking	Currently allowed 400ft from FM 518 or FM 2351	Allow head in parking closer to FM 518 or FM 2351.	Change to 75 feet - same as driveway spacing from a major thoroughfare requirement in Design Criteria Manual.	Zoning Ordinance Section 8.N.3.d	Yes
Façade materials	cement fiber board is prohibited	Allow cement fiber board installed as lap siding; not flat sheets.	Allow cement fiber board installed as lap siding.	Zoning Ordinance Section 7.I. Zoning Ordinance Section 8.N.4.	Yes
Fenestration	40% on ground floors facing ROW; 25% on upper floors and those not facing a ROW	Reduce requirement for facades facing interior of lots and adjacent to residential development.	Leave 40% requirement on first floor; eliminate 25% fenestration requirement on lower floors not facing a right-of-way.	Zoning Ordinance Section 8.N.4.	Yes

Downtown District (DD) Zoning Regulations Review and Proposed Amendments

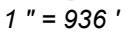
Community Overlay District (COD) vs. Downtown District (DD)	Aesthetic requirements are more stringent in the COD; review and determine which requirements, if any, should also be applicable to DD	Review requirements of the Community Overlay District (COD) and determine if those should also be incorporated into DD.	Add the following requirements: underground utilities bay doors not facing thoroughfares earth tone colors screening materials same as building add reference to dumpster screening requirements	Zoning Ordinance Section 8.N.4.	Yes
Permitted Uses	See Permitted Use Table	Review uses allowed in DD.	No changes recommended at this time.	Zoning Ordinance Section 7.P.6.	No
Pedestrian Lighting	Minimum 2 lights; Design Criteria Manual details type of light required	Review in relation to DD Improvement Plan by FDEDC.	No changes at this time; waiting on additional info from FDEDC.	Design Criteria Manual - Appendix E	No
PUD Modification (clean up - relocating existing language)		A portion of the PUD requirements was relocated in the Zoning Ordinance, but the modification section was not relocated.	Move to correct location in Zoning Ordinance.	Move from Section 8.H. to Section 7.J.	Yes
Signs LED lighting in storefront windows	No regulation	LED lighting in storefront windows detracts from the decorative, pedestrian lighting being installed in DD.	In DD only, prohibit neon signs and LED or similar lighting in windows; make effective 90 days from ordinance adoption; require existing businesses to remove; exception holiday lighting from Nov. 15 to Jan. 15.	Appendix A Sign Ordinance	Yes

Web Links to full Ordinances:

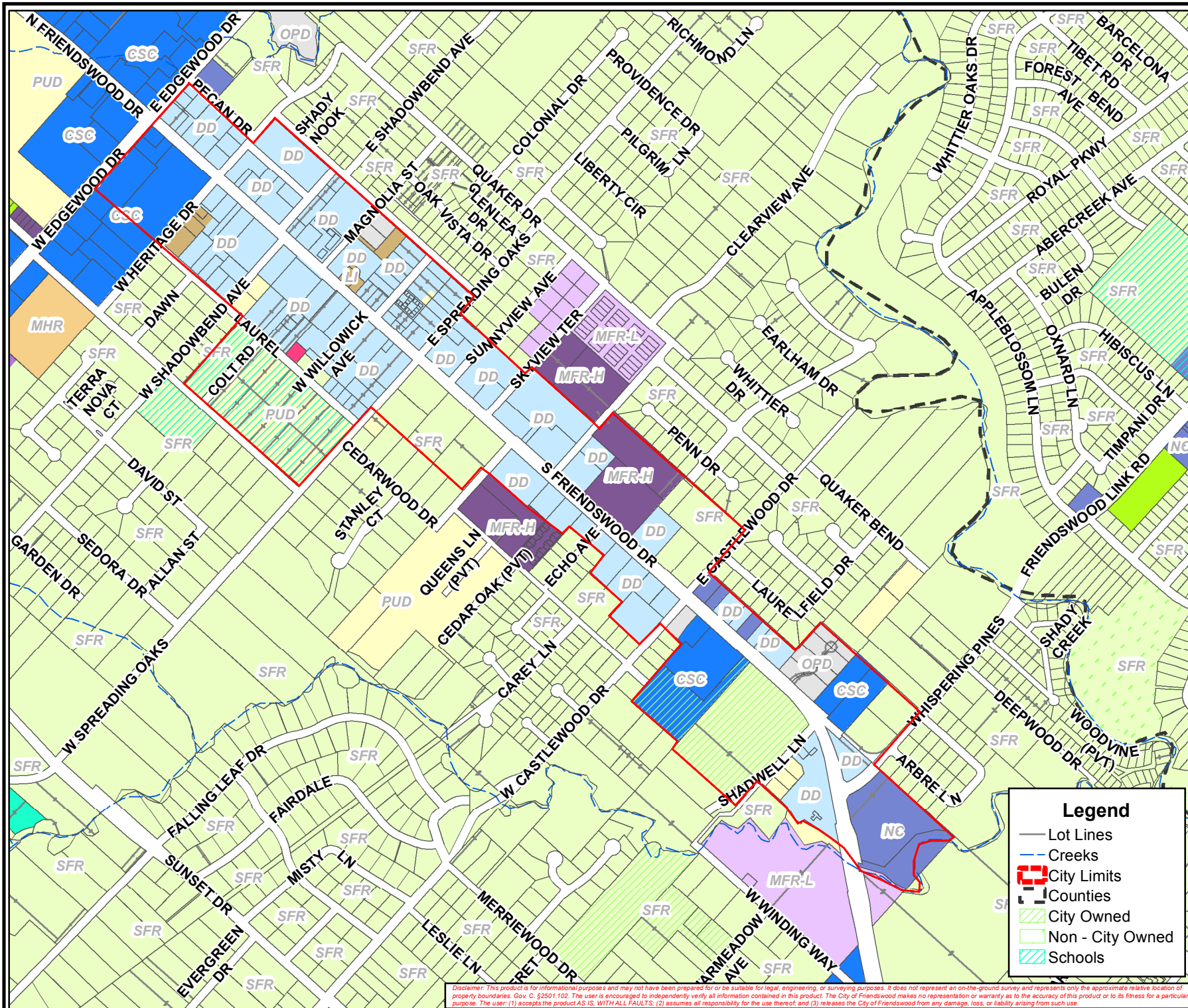
[Appendix C Zoning Ordinance](#)

[Appendix A Sign Ordinance](#)

[Design Criteria Manual](#)



Friendswood GIS Mapping



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

RESOLUTION R2008-103

A RESOLUTION OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING RESOLUTION R2008-54 CREATING NEIGHBORHOOD EMPOWERMENT ZONE #1 BY FURTHER DEFINING THE ZONE'S GEOGRAPHICAL BOUNDARIES AND THE IMPROVEMENTS THAT ARE ELIGIBLE FOR INCENTIVES.

* * * * *

WHEREAS, the City of Friendswood created Neighborhood Empowerment Zone #1 in accordance with state law on June 16, 2008, to provide certain economic development incentives for the downtown area with the purpose of encouraging private investment and reinvestment of sustainable neighborhoods and businesses in the City; and

WHEREAS, the City Council of the City of Friendswood, Texas, desires to amend Resolution R2008-54 that created Neighborhood Empowerment Zone #1 to expand the zone's geographical boundaries and to make provisions for projects to be eligible for certain incentives;

NOW, THEREFORE, BE IT DECLARED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City amends Section 1 of Resolution R2008-54, dated June 16, 2008, modifying the boundaries of Neighborhood Empowerment Zone #1 (NEZ), as described in Exhibit "A," Area "A" to expand and include the geographical area along Friendswood Drive from Castlewood to Cowards Creek as described in Exhibit "A," Area "B." NEZ#1 shall include any current and future properties that are zoned Downtown District within Exhibit "A."

Section 2. That the City Council hereby amends Section 4 of Resolution R2008-54, dated June 16, 2008, and declares that the City will waive one-hundred percent (100%) of all fees related to construction and development including zoning, platting, site plan review, building, plumbing, mechanical, electrical, and gas permits and one-hundred percent (100%) of water and waste water impact fees as follows:

Area "A" of NEZ#1 – the City of Friendswood will waive fees for businesses and developers that are "for profit" and that are zoned Downtown District.

Area "B" of NEZ#1 – The City will waive fees for businesses and developers that are "for profit," zoned Downtown District, and that incorporate sidewalk or façade improvements into their overall development plan according to the downtown district zoning guidelines.

Section 3. City Council or their designee will consider waiving fees on a case-by-case basis for other properties located within Exhibit "A" that are not zoned Downtown District, i.e. Planned Unit Development, Multi Family Residential, Single Family Residential, provided that downtown sidewalks or downtown façade improvements are incorporated into their overall development plan.

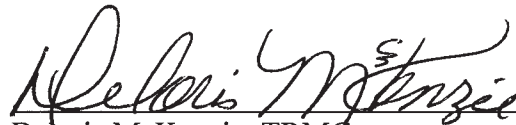
Section 4. That this resolution shall take effect from the date after its passage as the law in such case provides.

PASSED, APPROVED and ADOPTED by the City Council of Friendswood, Texas on this the 15th day of December, 2008.



David J. H. Smith
Mayor

ATTEST:



Deloris McKenzie, TRMC
City Secretary



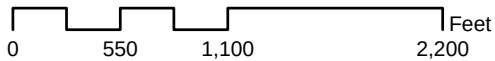
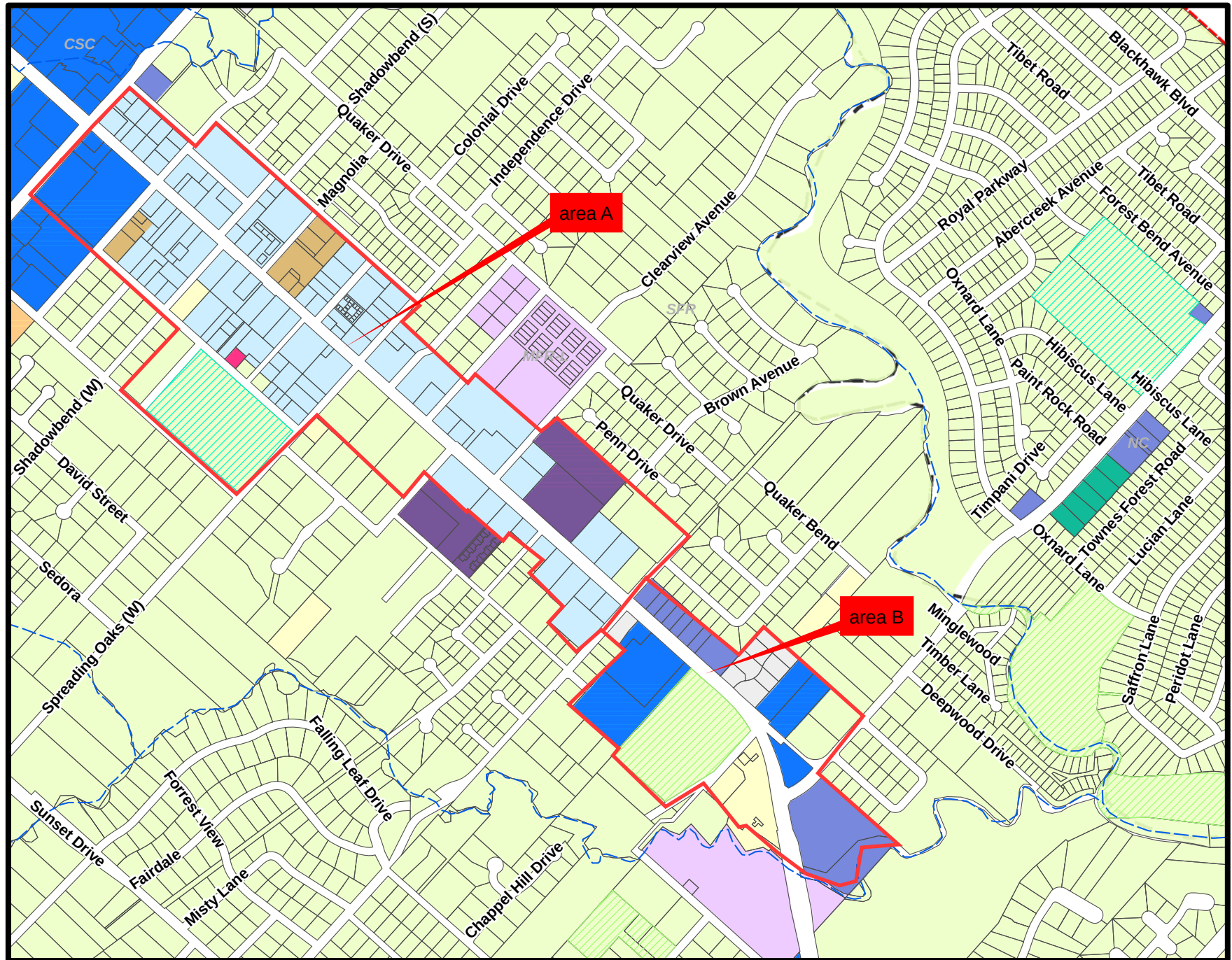
Exhibit A



Legend

Street Names

- Creeks
- ▨ Parks
- ▨ Schools
- ▨ Parcels
- Zoning**
- Zoning**
- SFR
- MFR-L
- MFR-M
- MFR-GHD
- MFR-H
- MHR
- CSC
- NC
- OPD
- DD
- PUD
- PUD Mixed Use
- PUD Commercial
- PUD NonCommercial
- A1
- BP
- LI
- I
- Open Space
- Creek
- City Limits
- Counties



RESOLUTION NO. R2016-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF FRIENDSWOOD, TEXAS, CANVASSING THE RETURNS
AND DECLARING THE RESULTS OF A SPECIAL
ELECTION HELD ON MAY 07, 2016, REGARDING TWO (2)
PROPOSITIONS RELATING TO STREET MAINTENANCE
SALES AND USE TAX AND DOWNTOWN
IMPROVEMENTS SALES AND USE TAX.**

* * * * *

WHEREAS, this City Council ordered an election to be held in said City on May 7, 2016, on the PROPOSITIONS hereinafter stated; and

WHEREAS, said City Council has investigated all matters pertaining to said election, including the ordering, giving notice, appointing election officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to said City Council.

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City Council officially finds and determines that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that the City has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of said election have been made and delivered, and that the City Council has duly canvassed said returns, all in accordance with law and the Resolution calling said election.

Section 2. That the City Council officially finds and determines that the following votes were cast at said election, on the submitted PROPOSITIONS by the resident, qualified electors of said City, who voted at the election:

STREET MAINTENANCE SALES AND USE TAX

FOR	<u>1,485</u>	) THE ADOPTION OF A LOCAL SALES AND USE TAX IN
		) THE CITY OF FRIENDSWOOD, TEXAS AT THE RATE
		) OF THREE-EIGHTHS (3/8) OF ONE PERCENT (1%) TO
AGAINST	<u>925</u>	) PROVIDE REVENUE FOR MAINTENANCE AND REPAIR
		) OF MUNICIPAL STREETS.

DOWNTOWN IMPROVEMENTS SALES AND USE TAX

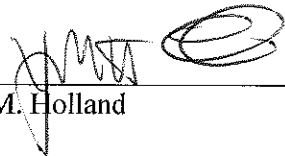
FOR	<u>1,274</u>	) THE ADOPTION OF A TYPE B LOCAL SALES AND USE
		) TAX IN THE CITY OF FRIENDSWOOD, TEXAS AT THE
AGAINST	<u>1,135</u>	) RATE OF ONE-EIGHTH (1/8) OF ONE PERCENT (1%) TO
		) UNDERTAKE PROJECTS AUTHORIZED UNDER
		) CHAPTER 505 OF THE LOCAL GOVERNMENT CODE,
		) TO PROMOTE NEW OR EXPANDED BUSINESS
		) ENTERPRISES IN THE DOWNTOWN AREA AS DEFINED
		) BY THE CITY OF FRIENDSWOOD DOWNTOWN
		) DISTRICT MAP, INCLUDING BUT NOT LIMITED TO
		) STREETS, TARGETED INFRASTRUCTURE, PAVED
		) SIDEWALKS, PEDESTRIAN AMENITIES INCLUDING
		) LIGHTING, BENCHES, SIGNAGE, AND OTHER
		) RELATED PUBLIC IMPROVEMENTS, AND THE
		) MAINTENANCE AND OPERATIONS EXPENSES FOR
		) ANY OF THE ABOVE-DESCRIBED PROJECTS.

Section 3. That the City Council finds and determines that the sales and use tax propositions carried at the election, and that the City Council is accordingly authorized to levy the sales and use tax in accordance with the authority granted in the propositions and with the law. The City Council shall subsequently adopt, by separate action, an ordinance adopting, imposing, and levying the approved sales and use taxes at the rates provided for in the propositions as approved by the voters.

Section 4. The City Secretary is authorized and directed to send to the Texas State Comptroller of Public Accounts by United States certified or registered mail, a certified copy of

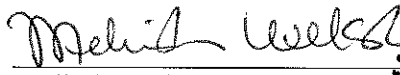
this Resolution, along with a map of the City, clearly showing the boundaries of the City and, upon its adoption, a certified copy of the Sales Tax Levy Ordinance, as required by Section 321.405 of the Texas Tax Code.

PASSED, APPROVED, AND RESOLVED this 16th day of May, 2016.

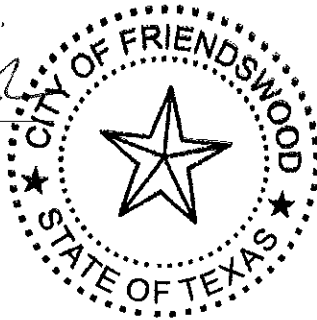


Kevin M. Holland
Mayor

ATTEST:



Melinda Welsh, TRMC
City Secretary



CERTIFICATE FOR RESOLUTION

**THE STATE OF TEXAS
COUNTIES OF GALVESTON AND HARRIS
CITY OF FRIENDSWOOD**

§
§
§

We, the undersigned officers of the City Council of said City, hereby certify as follows:

1. The City Council of the City convened in a REGULAR MEETING ON THE 16TH DAY OF MAY, 2016, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of the Council, to wit:

Kevin M. Holland, Mayor
Billy J. Enochs
Steve Rockey
Jim Hill, Mayor Pro-Tem
Patrick J. McGinnis, MD
John H. Scott
Carl W. Gustafson

Melinda Welsh, City Secretary
Roger Roecker, City Manager

and all of the persons were present, except the following absentees: None, except thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written

RESOLUTION CANVASSING A TAX ELECTION

was duly introduced for the consideration of the Council. It was then duly moved and seconded that the Resolution be passed; and, after due discussion, the motion, carrying with it the passage of the Resolution, prevailed and carried by the following vote:

AYES: All members of said Council shown present above voted "Aye",
except as noted below:

NOES: 0

ABSTENTIONS: 0

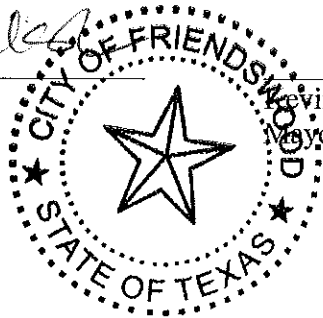
2. That a true, full and correct copy of the aforesaid Resolution passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Resolution has been duly recorded in the Council's minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Council's minutes of the Meeting pertaining to the passage of the Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the

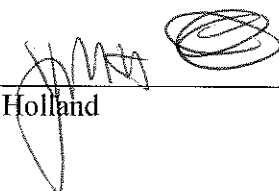
Council as indicated therein; that each of the officers and members of the Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, and each of the officers and members consented, in advance, to the holding of the Meeting for such purpose; that the Meeting was open to the public and public notice of the time, place and purpose of the Meeting as given, all as required by Chapter 551, Government Code.

SIGNED the 16th day of MAY, 2016



Melinda Welsh, TRMC
City Secretary




Kevin M. Holland
Mayor

~~Gray Highlight and strikethrough~~ – language relocated

Gray Highlight – language copied

Green Text – new location of relocated or copied text

Section 7. - Schedule of district regulations.

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 ~~P~~lanning and ~~Z~~oning ~~C~~ommission.

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.

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 shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass, or lap sided cement fiberboard.~~ ~~Sheet Fiber~~ cement ~~fiberboards/siding~~ are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.

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 ~~p~~lanning and ~~Z~~oning ~~C~~ommission 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.
- (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 ~~P~~Planning and ~~Z~~zoning ~~C~~commission and city council in accordance with the notification procedure set forth for a rezoning application. Following the public hearing, the ~~P~~Planning and ~~Z~~zoning ~~C~~commission shall forward the plan with its recommendation to the city council for consideration. The ~~P~~Planning and ~~Z~~zoning ~~C~~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.

(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.

~~Gray Highlight and strikethrough~~ – language relocated

Gray Highlight – language copied

Green Text – new location of relocated or copied text

Section 8. - Supplementary district regulations.

...

- 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.
- a. 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.
- ~~b. Downtown district parking. To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Head-in parking may be allowed in the DD with the approval of the commission, upon recommendation of the city engineer, in areas at least 400 feet from FM 518 and/or FM 2351. No on-street parking shall be allowed on FM 518 or on FM 2351 within the DD. Parking spaces and parking lot geometrics shall comply with the requirements of the current design criteria.~~
- ~~*Off-street loading regulations.* The intent of this section is to ensure that an adequate off-street loading area is provided with the construction, alteration, or change of use of any business building or structure, or with any change in land use.~~
- ~~b1.~~ 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.
- ~~c2.~~ 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 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.

~~Modification of standards proposed within a PUD.~~

- ~~1. 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.~~
- ~~2. 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.~~

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.

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. ~~Each such~~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.

(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.

...

- 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 section 6.D.

1. *Geographic limits.* The geographic limits of the downtown district are as shown on the downtown district map. All properties within these geographic limits may rezone to downtown zone. Those properties outside the geographic limits may not rezone to the downtown zone.

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.

a. Off-site parking shall be allowed if within one block of the development. For purposes of this subsection, one block shall constitute no less than 300 linear feet and no more than 1,200 linear feet.

b. Shared parking areas shall be allowed.

c. Shared access agreements shall be required between adjacent developments.

d. ~~On-street parking shall be in accordance with subsection F.I.C., shown previously in this appendix.~~ On street, head-in parking may be allowed in the DD with the approval of the Planning and Zoning Commission, upon recommendation of the city engineer, in areas at least ~~75400~~ feet from FM 518 and/or FM 2351. No on street parking shall be allowed on FM 518 or on FM 2351 within the DD.

e. Development plans shall indicate how freight and goods will be delivered.

f. Development plans shall show the design and layout for all parking. Documentation shall be provided to verify authority for all shared or off-site parking.

g. All such required documentation shall be presented before a development plan is approved.

h. 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.

- i. All planted islands shall have curbs of sufficient height and width to contain the planted island.
- j. 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.
- k. 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.
- l. 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.
- m. 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.
- n. All plants shall receive proper irrigation to encourage deep root growth and survivability.

4. *Architectural standards.*

- a. Buildings in the DD shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass,~~ or lap sided cement fiberboard. ~~Sheet Fiber~~ cement fiberboards/siding are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.
- b. Exterior facades, including the roof, shall be limited to earth tone colors. Color samples shall be submitted as part of the commercial site plan. Earth tone colors depict the colors in nature; they include flat and muted shades of brown, green, blue, orange, and some reds and tans.
- ~~c~~b. Fenestration shall mean the openings in a wall, such as doors and windows, to include faux windows whether transparent or not. Such windows may be inoperative but must be framed as a window and otherwise appear to be a window. Painted openings would not be counted in fenestration calculations. Fenestration along front or other facades visible to the public shall be as follows:
 - (1) Walls visible to the public shall have windows and or doors (i.e., no blank walls allowed).
 - (2) Not less than 40 percent fenestration shall be provided for all ground floor primary facades (front or side) that face a public right-of-way.
 - (3) Not less than 25 percent fenestration shall be provided for all upper floor facades ~~(upper floors and those not facing a public right-of-way).~~
- ~~d~~e. Awnings and canopies are allowed upon approval of the ~~p~~lanning and ~~Z~~oning ~~e~~Commission.
- ~~e~~d. Fenestration calculations.
 - (1) Area of ground floor primary wall ~~(front or side)~~ facing ROW x 40 percent = minimum fenestration.
 - (2) Area of upper floor ~~or floor not facing ROW~~ x 25 percent = minimum fenestration.
- f. Garage bays or other similar large openings designed for automotive or industrial work, or designed for vehicles to drive into, shall not front FM 518 or FM 2351 within the Downtown

District boundary. This prohibition shall not include drive-thrus such as are typically found at banks for fast-food establishments. In the event that this requirement overlaps at an intersection, the architectural requirement regarding garage bays shall apply only to the frontage on one street as designated on the site plan.

5. *Screening.*

- a. Mechanical equipment, such as roof top equipment, compressors, refrigeration units and trash enclosures, outside storage, and other nonpublic service areas that are visible from a public area, shall be screened to a height sufficient to completely screen the use from view at ground level. The term "view at 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 street or streets.
- b. 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 constructed of the same materials as the building on the lot. Cyclone fences are prohibited. Under limited circumstances, the Planning and Zoning Commission may approve a vinyl coated cyclone fence.
- c. See Section 8.L. for additional dumpster screening requirements.

6. *Sidewalks.*

- a. Each development along FM 2351 and FM 518 shall provide a minimum 15-foot-wide parkway adjacent to the street right-of-way. The 15-foot parkway must contain an unobstructed brick-paved sidewalk, as described in Appendix E of the Design Criteria Manual, at least eight feet wide and a seven-foot wide landscape area.
- b. Each development along all other streets within the downtown district shall provide a concrete sidewalk built in accordance with city standard specifications and shall be a minimum of six feet in width. Concrete sidewalks shall be built within the street right-of-way and adjacent to the right-of-way lines.
- c. If sidewalks cannot be placed wholly within the right-of-way and must be placed on private property, easements of the appropriate width shall be required.

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.
- (1) Trees shall be provided every 25 linear feet. Trees used in the 15-foot parkway shall be Class 2 or Class 3 trees from the city's qualified tree list, and other landscaping material such as bushes and/or groundcover may be used. The tree and landscaping material shall be maintained in living condition. One-half of the trees shall have a minimum caliper of four inches and one-half shall have 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.)
- (2) Amenities shall be provided in accordance with the design criteria manual, Exhibit E, Downtown District Amenities. A minimum of two lights and two benches are required within the 15-foot parkway of each development. All provided amenities shall be permanently maintained by the property owner, including the brick-paved sidewalks.

- b. Developments along all other streets within the downtown district shall have a minimum ten-foot landscaped buffer located on private property and not less than one tree, whether existing or planted, shall be planted and maintained for each 25 lineal feet or portion thereof. Each such tree 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. Alternate sidewalk, landscape and amenity designs specific to the site or the function of the development within the downtown district may be considered by the Planning and Zoning Commission if it determines that the proposed alternative sidewalk is not narrower than six feet and provides, respectively:
 - (i) Equal or better pedestrian access to and along the development property;
 - (ii) Equal or enhanced landscape beautification for the development; or
 - (iii) Equal or better design amenities than otherwise required herein.

d. See Section 8.I. for additional information on maintenance and preservation of trees.

8. Adjacent property, buffer maintenance and installation.

- a. When a commercial use is established on a lot or premises located adjacent to any residential 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 commercial property between it and the adjacent protected property.
- b. 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 Planning and Zoning 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, with Planning and Zoning Commission approval.
- c. 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 Planning and Zoning 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 Planning and Zoning 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.
- d. 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.

9. Utilities.

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

APPENDIX E

Downtown District Amenities

Streetscape furnishings, as required by City of Friendswood Code of Ordinances, Appendix C – Zoning Ordinance for the Downtown District, are important functional elements and amenities. They should be of high quality, designed for outdoor use, and require minimal maintenance. All provided amenities shall be permanently maintained by the property owner, including paved walkways.

SEATING

Seating should be durable and comfortable. Sharp edges and poorly designed or fabricated furniture should be avoided. Metal is the required material. The seating design should complement other furnishings. All seating should be secured permanently to paved surfaces for safety and to avoid vandalism. The bench below is the preferred model; however, other benches of similar size and features may be approved by the Planning and Zoning Commission.



Manufacturer: Webcoat Products
Product: Metal benches
Model: B5WBCLASSIC
Size: 5'
Color/finish: Black finish
Aluminum frame w/contoured backs

TREE WELLS

Tree wells are an attractive way to protect trees planted in paved areas. Appropriate tree grates and tree wells should be similar to the following:



TREE GRATES

Manufacture: Neenah Foundry Company
Product: Tree grate
Model: ASTM A-48, Metropolitan Series



TREE WELLS

LIGHT POLES

Lighting plays an important part in the character, function, and security of a streetscape. It should be consistent with other streetscape elements and integrate the historic nature of the Downtown District. Light poles shall be the “Bishop’s Crook” style. The light pole below is the preferred model; however, other light poles of similar size and features may be approved by the Planning and Zoning Commission.

	Manufacturer:	Hadco
	Product:	Aluminum Pole w/Teardrop Fixture
	Color/finish:	Black powder coat
		Lighting must be metal halide or LED with full cutoff or semi cutoff fixtures that emits 7,000 to 8,000 lumen, or the equivalent thereof, and 5,000 to 6,000K (Kelvin – color temperature).

Lamp height maximum shall be 12’. Lamp height minimum shall be 10’. Lamp shall be positioned towards the rights-of-way to illuminate the public walkway.

Lamp height is the actual lamp height above ground measured at the bottom of the lamp fixture, where the globe or bulb begins.

TRASH RECEPTACLES

Trash receptacles should be easily accessible for pedestrians and trash collection. They must be placed to be unobtrusive yet effective and their design should relate to other site furnishings. Trash receptacles should be firmly attached to paving to avoid vandalism. They should include covered tops and sealed bottoms to keep contents dry and out of sight at all times. Appropriate trash receptacles should be similar to the following:

	Manufacturer:	Victor Stanley, Inc.
	Product:	Trash receptacle
	Model:	Steelsites RB series
	Color/finish:	Black finish TGIC polyester powder coat

PAVERS

Brick pavers must be used to construct the required brick-paved sidewalk in accordance with the specifications below. The paver color and pattern below is the preferred design; however, other pavers of similar colors and patterns may be approved by the Planning and Zoning Commission.

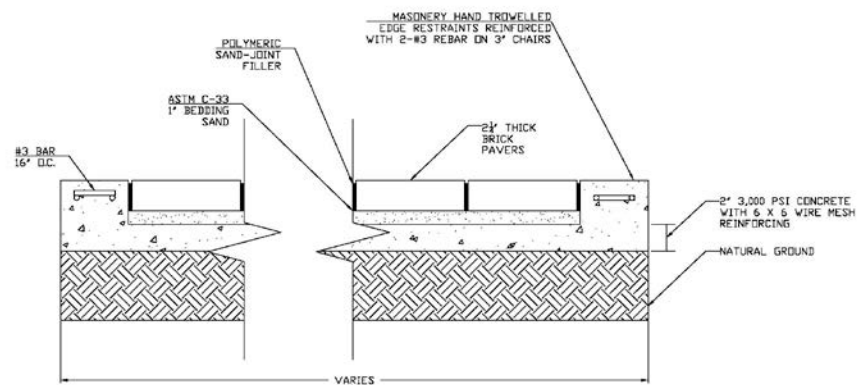
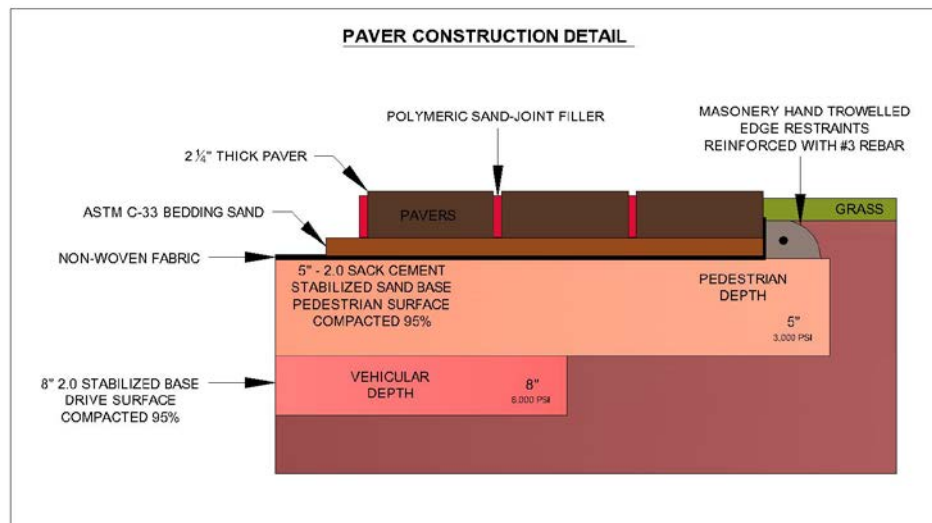
	Manufacturer:	Pine Hall Brick Company, Inc.
	Product:	Pavers
	Model:	Pathway Series, Full Range
	Size:	4" W x 8" L x 2 ¼" thick
	Color:	Red
	Pattern:	Stretcher Bond

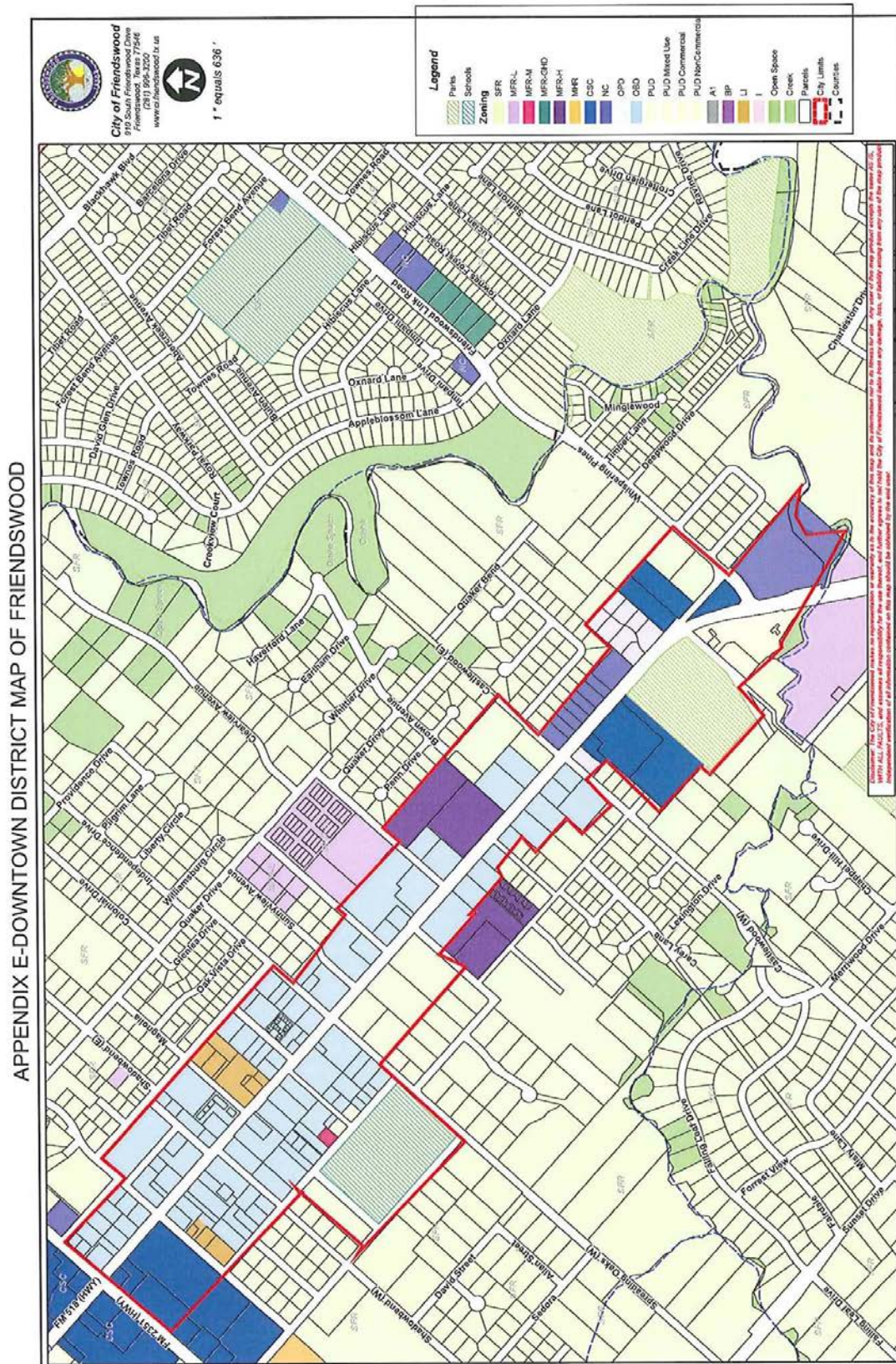
Brick pavers must be set on a sand base with a concrete border as stated below and shown on the attached construction detail drawing. No concrete or stamped concrete is allowed for the sidewalk surface.

Paver installation specs:

- 5" of 2.0 sack cement stabilized sand base
- Non-woven fabric weed block
- 1" of ASTM C-33 bedding sand
- 2 ¼" thick brick unit paver
- Polymeric joint sand
- Masonry hand troweled edge restraints reinforced with #3 rebar

If the pavers are a part of a drive surface for vehicular traffic, an 8" 2.0 stabilized base drive surface, compacted 95% must be installed below the 5" of 2.0 sack cement stabilized sand base.





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.*

	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
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							O			O	O	S	P	S

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	S		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
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	Transportation and Warehousing															
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	Information															
511	Publishing industries										O	S		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
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							P	P		P	P		P	P	P

[illegible]

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 elderly (without on-site nursing)	S1	S1					S	S		O	S				
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	S	S	S	S	S	S	P	S		O	P	S	S	S	S

	similar institutions											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			S		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							S			O	O		S	P	P

[illegible]

Appendix A - SIGNS^[1]

Sec. 9. - Prohibited signs.

Signs of the following nature are expressly prohibited unless specifically authorized by this appendix:

- a. Billboards, including, but not limited to, new off-premises CEVMSs. Exception: existing billboards may be converted to CEVMSs, provided that they meet the requirements in section 26.f.
- b. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character as will offend public morals or decency.
- c. Obsolete signs.
- d. Animated signs.
- e. Signs that contain or have attached thereto banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, flash tags or other similar devices.
- f. Signs attached to exposed amenities, such as benches or trash containers.
- g. Any stereopticon or motion picture machine used in conjunction with or attached to any sign in such a manner as to permit the images projected therefrom to be visible from any public street or sidewalk.
- h. Snipe signs.
- i. Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential area.
- j. Signs placed on private property without the consent of the owner of the property.
- k. Flashing signs.
- l. Ground signs, except monument signs.
- m. In the Downtown District Boundary, no miniature, mini, Christmas, rope string lights, exposed LED storefront lights or other similar lighting in or framing windows (interior or exterior), including attached to the window frames with the exception of holiday lighting from November 15 to January 15.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix C Zoning Ordinance "Section 8.N.8. Adjacent property, buffer maintenance and installation" duplicating requirements for buffering from "Section I.2. Perimeter landscaping and screening;" and amendments to "Section 8.N.3. Parking" duplicating requirements for parking from "Section I.2.c. Off-street parking landscaping;" and relocating language PUD modification from "Section 8.H. Modification of standards proposed within a PUD" to "Section 7.J. PUD, planned unit development, general purpose and description," including minor grammatical corrections

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: Joint Public Hearing

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission. For reference, the original "Downtown District Review and Recommendations Linked Document" is provided in the back up materials. Some of the recommendations may have changed.

Review Item: staff clean up items - duplicating existing landscape, buffer and parking requirements to the DD section of the Zoning Ordinance and relocating PUD modification requirements to the PUD section of the Zoning Ordinance.

The recommendation is mainly staff clean up/recommendations. Relocating the landscape, buffer and parking requirements that apply to the DD to the section of the ordinance that contains the majority of the DD development regulations will make the ordinance easier to read for developers.

Also, the PUD language was relocated in the Zoning Ordinance a few years ago, but the modification steps were not relocated.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Redlines – DD relocating language redlines](#)

[Downtown District Review and Recommendations Linked Document](#)

~~Gray Highlight and strikethrough~~ – language relocated

Gray Highlight – language copied

Green Text – new location of relocated or copied text

Duplicate landscaping and screening requirements for DD to DD Section of Zoning Ordinance

Zoning Ordinance

Section 8. Supplementary District Regulations

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.

Zoning Ordinance

Section 8. N. *Downtown district supplemental requirements*

...

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 ~~p~~Planning and ~~Z~~oning ~~C~~ommission.

(1) Trees shall be provided every 25 linear feet. Trees used in the 15-foot parkway shall be Class 2 or Class 3 trees from the city's qualified tree list, and other landscaping material such as bushes and/or groundcover may be used. The tree and landscaping material shall be maintained in living condition. One-half of the trees shall have a minimum caliper of four inches and one-half shall have 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.)

(2) Amenities shall be provided in accordance with the design criteria manual, Exhibit E, Downtown District Amenities. A minimum of two lights and two benches are required within the 15-foot parkway of each development. All provided amenities shall be permanently maintained by the property owner, including the brick-paved sidewalks.

b. Developments along all other streets within the downtown district shall have a minimum ten-foot landscaped buffer located on private property and not less than one tree, whether existing or planted, shall be planted and maintained for each 25 lineal feet or portion thereof. Each such tree 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. Alternate sidewalk, landscape and amenity designs specific to the site or the function of the development within the downtown district may be considered by the ~~P~~Planning and ~~Z~~oning ~~C~~ommission if it determines that the proposed alternative sidewalk is not narrower than six feet and provides, respectively:

- (i) Equal or better pedestrian access to and along the development property;
- (ii) Equal or enhanced landscape beautification for the development; or
- (iii) Equal or better design amenities than otherwise required herein.

d. See Section 8.I. for additional information on maintenance and preservation of trees.

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

a. When a commercial use is established on a lot or premises located adjacent to any residential 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 commercial property between it and the adjacent protected property.

- b. 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 Planning and Zoning 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, with Planning and Zoning Commission approval.
- c. 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 Planning and Zoning 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 Planning and Zoning 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.
- d. 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.

Move Modification Process for PUD to PUD section of Zoning Ordinance

H. Reserved.

Modification of standards proposed within a PUD.

~~1.— 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.~~

~~2.— 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.~~

Section 7. - Schedule of district regulations.

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 ~~p~~Planning and ~~Z~~zoning ~~C~~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.
- (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 ~~p~~P~~l~~anning and ~~Z~~oning ~~C~~ommission and city council in accordance with the notification procedure set forth for a rezoning application. Following the public hearing, the ~~P~~~~p~~lanning and ~~Z~~oning ~~C~~ommission shall forward the plan with its recommendation to the city council for consideration. The ~~p~~P~~l~~anning and ~~Z~~oning ~~C~~ommission 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.

(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.

Downtown District (DD) Zoning Regulations Review and Proposed Amendments

Subject	Current Requirement	Request	Recommendation	Applicable Attachments	Changes
Downtown District Boundary Established in 2008: Ordinance 2007-18 Ordinance 2008-30	Properties outside the Downtown District Boundary cannot change to DD zoning. See yellow highlight in the attachment.	To incorporate 110 Whispering Pines into DD Boundary; also review other boundaries for potential changes.	Not recommended due to complexity that would be created by changing the boundary in regards to the expenditure of 4B sales tax and application of the Neighborhood Empowerment Zone (NEZ).	DD Boundary Map Zoning Ordinance Section 8.N. Resolution 2008-103: Neighborhood Empowerment Zone (NEZ) Amendment Resolution 2016-10: Canvass of Sales Tax Election	No
Buffer Requirements - copy to DD section	Gray highlight and Green Text	n/a	Copy language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.I. to Section 8.N.	Yes
Parking Requirements - move to DD section	Gray Highlight and Green Text	n/a	Relocated language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.F. to Section 8.N.	Yes
Head-In, on-street parking	Currently allowed 400ft from FM 518 or FM 2351	Allow head in parking closer to FM 518 or FM 2351.	Change to 75 feet - same as driveway spacing from a major thoroughfare requirement in Design Criteria Manual.	Zoning Ordinance Section 8.N.3.d	Yes
Façade materials	cement fiber board is prohibited	Allow cement fiber board installed as lap siding; not flat sheets.	Allow cement fiber board installed as lap siding.	Zoning Ordinance Section 7.I. Zoning Ordinance Section 8.N.4.	Yes
Fenestration	40% on ground floors facing ROW; 25% on upper floors and those not facing a ROW	Reduce requirement for facades facing interior of lots and adjacent to residential development.	Leave 40% requirement on first floor; eliminate 25% fenestration requirement on lower floors not facing a right-of-way.	Zoning Ordinance Section 8.N.4.	Yes

Downtown District (DD) Zoning Regulations Review and Proposed Amendments

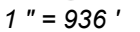
Community Overlay District (COD) vs. Downtown District (DD)	Aesthetic requirements are more stringent in the COD; review and determine which requirements, if any, should also be applicable to DD	Review requirements of the Community Overlay District (COD) and determine if those should also be incorporated into DD.	Add the following requirements: underground utilities bay doors not facing thoroughfares earth tone colors screening materials same as building add reference to dumpster screening requirements	Zoning Ordinance Section 8.N.4.	Yes
Permitted Uses	See Permitted Use Table	Review uses allowed in DD.	No changes recommended at this time.	Zoning Ordinance Section 7.P.6.	No
Pedestrian Lighting	Minimum 2 lights; Design Criteria Manual details type of light required	Review in relation to DD Improvement Plan by FDEDC.	No changes at this time; waiting on additional info from FDEDC.	Design Criteria Manual - Appendix E	No
PUD Modification (clean up - relocating existing language)		A portion of the PUD requirements was relocated in the Zoning Ordinance, but the modification section was not relocated.	Move to correct location in Zoning Ordinance.	Move from Section 8.H. to Section 7.J.	Yes
Signs LED lighting in storefront windows	No regulation	LED lighting in storefront windows detracts from the decorative, pedestrian lighting being installed in DD.	In DD only, prohibit neon signs and LED or similar lighting in windows; make effective 90 days from ordinance adoption; require existing businesses to remove; exception holiday lighting from Nov. 15 to Jan. 15.	Appendix A Sign Ordinance	Yes

Web Links to full Ordinances:

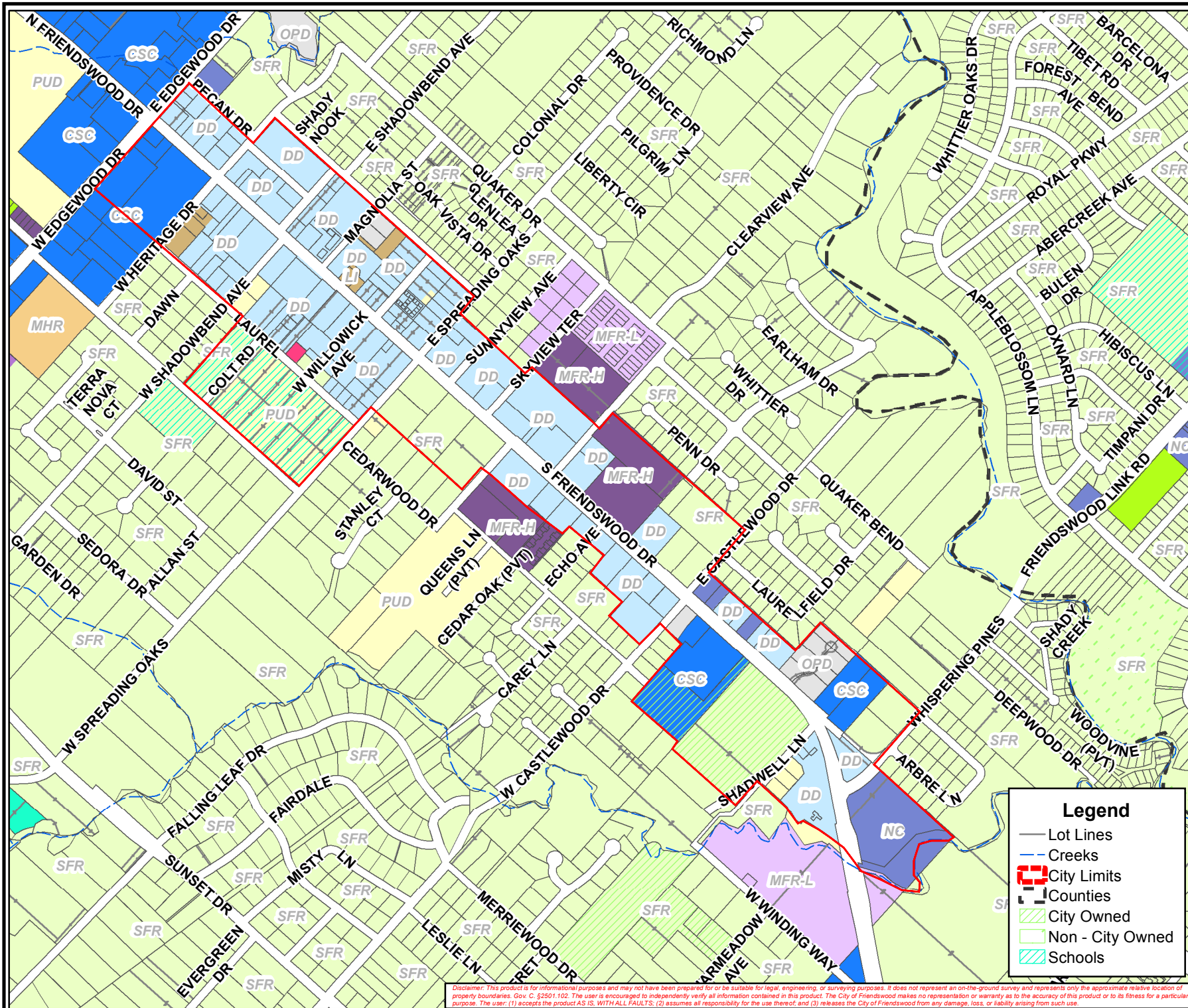
[Appendix C Zoning Ordinance](#)

[Appendix A Sign Ordinance](#)

[Design Criteria Manual](#)



Friendswood GIS Mapping



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

RESOLUTION R2008-103

A RESOLUTION OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING RESOLUTION R2008-54 CREATING NEIGHBORHOOD EMPOWERMENT ZONE #1 BY FURTHER DEFINING THE ZONE'S GEOGRAPHICAL BOUNDARIES AND THE IMPROVEMENTS THAT ARE ELIGIBLE FOR INCENTIVES.

* * * * *

WHEREAS, the City of Friendswood created Neighborhood Empowerment Zone #1 in accordance with state law on June 16, 2008, to provide certain economic development incentives for the downtown area with the purpose of encouraging private investment and reinvestment of sustainable neighborhoods and businesses in the City; and

WHEREAS, the City Council of the City of Friendswood, Texas, desires to amend Resolution R2008-54 that created Neighborhood Empowerment Zone #1 to expand the zone's geographical boundaries and to make provisions for projects to be eligible for certain incentives;

NOW, THEREFORE, BE IT DECLARED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City amends Section 1 of Resolution R2008-54, dated June 16, 2008, modifying the boundaries of Neighborhood Empowerment Zone #1 (NEZ), as described in Exhibit "A," Area "A" to expand and include the geographical area along Friendswood Drive from Castlewood to Cowards Creek as described in Exhibit "A," Area "B." NEZ#1 shall include any current and future properties that are zoned Downtown District within Exhibit "A."

Section 2. That the City Council hereby amends Section 4 of Resolution R2008-54, dated June 16, 2008, and declares that the City will waive one-hundred percent (100%) of all fees related to construction and development including zoning, platting, site plan review, building, plumbing, mechanical, electrical, and gas permits and one-hundred percent (100%) of water and waste water impact fees as follows:

Area "A" of NEZ#1 – the City of Friendswood will waive fees for businesses and developers that are "for profit" and that are zoned Downtown District.

Area "B" of NEZ#1 – The City will waive fees for businesses and developers that are "for profit," zoned Downtown District, and that incorporate sidewalk or façade improvements into their overall development plan according to the downtown district zoning guidelines.

Section 3. City Council or their designee will consider waiving fees on a case-by-case basis for other properties located within Exhibit "A" that are not zoned Downtown District, i.e. Planned Unit Development, Multi Family Residential, Single Family Residential, provided that downtown sidewalks or downtown façade improvements are incorporated into their overall development plan.

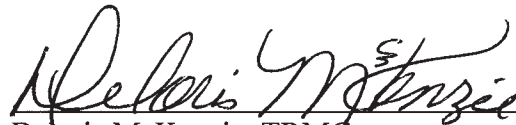
Section 4. That this resolution shall take effect from the date after its passage as the law in such case provides.

PASSED, APPROVED and ADOPTED by the City Council of Friendswood, Texas on this the 15th day of December, 2008.



David J. H. Smith
Mayor

ATTEST:



Deloris McKenzie, TRMC
City Secretary



Exhibit A



Legend

Street Names

— Creeks

▨ Parks

▨ Schools

▨ Parcels

Zoning

Zoning

▨ SFR

▨ MFR-L

▨ MFR-M

▨ MFR-GHD

▨ MFR-H

▨ MHR

▨ CSC

▨ NC

▨ OPD

▨ DD

▨ PUD

▨ PUD Mixed Use

▨ PUD Commercial

▨ PUD NonCommercial

▨ A1

▨ BP

▨ LI

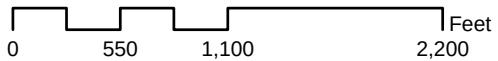
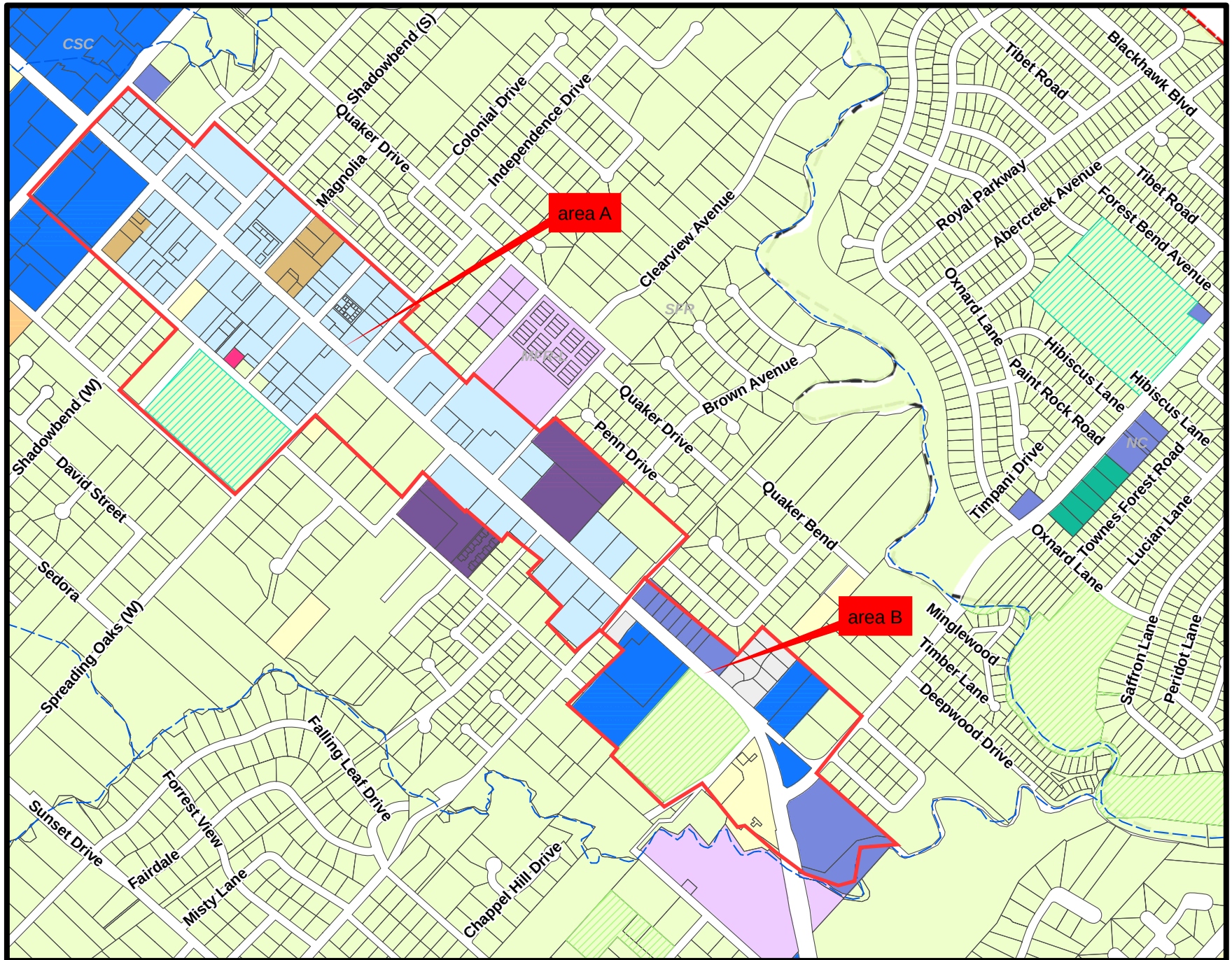
▨ I

▨ Open Space

▨ Creek

▨ City Limits

▨ Counties



RESOLUTION NO. R2016-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF FRIENDSWOOD, TEXAS, CANVASSING THE RETURNS
AND DECLARING THE RESULTS OF A SPECIAL
ELECTION HELD ON MAY 07, 2016, REGARDING TWO (2)
PROPOSITIONS RELATING TO STREET MAINTENANCE
SALES AND USE TAX AND DOWNTOWN
IMPROVEMENTS SALES AND USE TAX.**

* * * * *

WHEREAS, this City Council ordered an election to be held in said City on May 7, 2016, on the PROPOSITIONS hereinafter stated; and

WHEREAS, said City Council has investigated all matters pertaining to said election, including the ordering, giving notice, appointing election officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to said City Council.

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City Council officially finds and determines that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that the City has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of said election have been made and delivered, and that the City Council has duly canvassed said returns, all in accordance with law and the Resolution calling said election.

Section 2. That the City Council officially finds and determines that the following votes were cast at said election, on the submitted PROPOSITIONS by the resident, qualified electors of said City, who voted at the election:

STREET MAINTENANCE SALES AND USE TAX

FOR	<u>1,485</u>	) THE ADOPTION OF A LOCAL SALES AND USE TAX IN
		) THE CITY OF FRIENDSWOOD, TEXAS AT THE RATE
		) OF THREE-EIGHTHS (3/8) OF ONE PERCENT (1%) TO
AGAINST	<u>925</u>	) PROVIDE REVENUE FOR MAINTENANCE AND REPAIR
		) OF MUNICIPAL STREETS.

DOWNTOWN IMPROVEMENTS SALES AND USE TAX

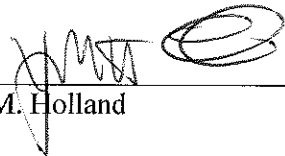
FOR	<u>1,274</u>	) THE ADOPTION OF A TYPE B LOCAL SALES AND USE
		) TAX IN THE CITY OF FRIENDSWOOD, TEXAS AT THE
AGAINST	<u>1,135</u>	) RATE OF ONE-EIGHTH (1/8) OF ONE PERCENT (1%) TO
		) UNDERTAKE PROJECTS AUTHORIZED UNDER
		) CHAPTER 505 OF THE LOCAL GOVERNMENT CODE,
		) TO PROMOTE NEW OR EXPANDED BUSINESS
		) ENTERPRISES IN THE DOWNTOWN AREA AS DEFINED
		) BY THE CITY OF FRIENDSWOOD DOWNTOWN
		) DISTRICT MAP, INCLUDING BUT NOT LIMITED TO
		) STREETS, TARGETED INFRASTRUCTURE, PAVED
		) SIDEWALKS, PEDESTRIAN AMENITIES INCLUDING
		) LIGHTING, BENCHES, SIGNAGE, AND OTHER
		) RELATED PUBLIC IMPROVEMENTS, AND THE
		) MAINTENANCE AND OPERATIONS EXPENSES FOR
		) ANY OF THE ABOVE-DESCRIBED PROJECTS.

Section 3. That the City Council finds and determines that the sales and use tax propositions carried at the election, and that the City Council is accordingly authorized to levy the sales and use tax in accordance with the authority granted in the propositions and with the law. The City Council shall subsequently adopt, by separate action, an ordinance adopting, imposing, and levying the approved sales and use taxes at the rates provided for in the propositions as approved by the voters.

Section 4. The City Secretary is authorized and directed to send to the Texas State Comptroller of Public Accounts by United States certified or registered mail, a certified copy of

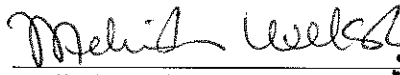
this Resolution, along with a map of the City, clearly showing the boundaries of the City and, upon its adoption, a certified copy of the Sales Tax Levy Ordinance, as required by Section 321.405 of the Texas Tax Code.

PASSED, APPROVED, AND RESOLVED this 16th day of May, 2016.

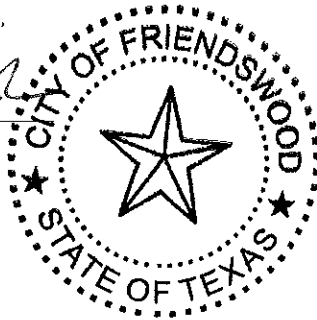


Kevin M. Holland
Mayor

ATTEST:



Melinda Welsh, TRMC
City Secretary



CERTIFICATE FOR RESOLUTION

**THE STATE OF TEXAS
COUNTIES OF GALVESTON AND HARRIS
CITY OF FRIENDSWOOD**

§
§
§

We, the undersigned officers of the City Council of said City, hereby certify as follows:

1. The City Council of the City convened in a REGULAR MEETING ON THE 16TH DAY OF MAY, 2016, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of the Council, to wit:

Kevin M. Holland, Mayor
Billy J. Enochs
Steve Rockey
Jim Hill, Mayor Pro-Tem
Patrick J. McGinnis, MD
John H. Scott
Carl W. Gustafson

Melinda Welsh, City Secretary
Roger Roecker, City Manager

and all of the persons were present, except the following absentees: None, except thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written

RESOLUTION CANVASSING A TAX ELECTION

was duly introduced for the consideration of the Council. It was then duly moved and seconded that the Resolution be passed; and, after due discussion, the motion, carrying with it the passage of the Resolution, prevailed and carried by the following vote:

AYES: All members of said Council shown present above voted "Aye",
except as noted below:

NOES: 0

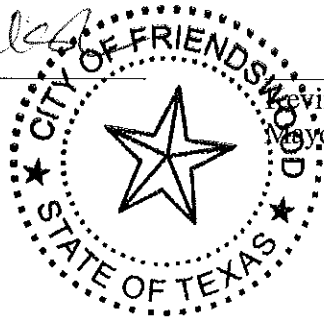
ABSTENTIONS: 0

2. That a true, full and correct copy of the aforesaid Resolution passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Resolution has been duly recorded in the Council's minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Council's minutes of the Meeting pertaining to the passage of the Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the

Council as indicated therein; that each of the officers and members of the Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, and each of the officers and members consented, in advance, to the holding of the Meeting for such purpose; that the Meeting was open to the public and public notice of the time, place and purpose of the Meeting as given, all as required by Chapter 551, Government Code.

SIGNED the 16th day of MAY, 2016


Melinda Welsh, TRMC
City Secretary




Kevin M. Holland
Mayor

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Section 7. - Schedule of district regulations.

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 ~~P~~lanning and ~~Z~~oning ~~C~~ommission.

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.

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 shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass, or lap sided cement fiberboard.~~ ~~Sheet Fiber~~ cement ~~fiberboards/siding~~ are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.

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 ~~p~~lanning and ~~Z~~oning ~~C~~ommission 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.
- (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 ~~P~~Planning and ~~Z~~zoning ~~C~~commission and city council in accordance with the notification procedure set forth for a rezoning application. Following the public hearing, the ~~P~~Planning and ~~Z~~zoning ~~C~~commission shall forward the plan with its recommendation to the city council for consideration. The ~~P~~Planning and ~~Z~~zoning ~~C~~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.

(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.

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Section 8. - Supplementary district regulations.

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- 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.
- a. 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.
- ~~b. Downtown district parking. To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Head-in parking may be allowed in the DD with the approval of the commission, upon recommendation of the city engineer, in areas at least 400 feet from FM 518 and/or FM 2351. No on-street parking shall be allowed on FM 518 or on FM 2351 within the DD. Parking spaces and parking lot geometrics shall comply with the requirements of the current design criteria.~~
- ~~Off-street loading regulations. The intent of this section is to ensure that an adequate off-street loading area is provided with the construction, alteration, or change of use of any business building or structure, or with any change in land use.~~
- ~~b1.~~ 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.
- ~~c2.~~ 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 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.

~~Modification of standards proposed within a PUD.~~

- ~~1. 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.~~
- ~~2. 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.~~

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.

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. ~~Each such~~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.

(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.

...

- 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 section 6.D.

1. *Geographic limits.* The geographic limits of the downtown district are as shown on the downtown district map. All properties within these geographic limits may rezone to downtown zone. Those properties outside the geographic limits may not rezone to the downtown zone.

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.

a. Off-site parking shall be allowed if within one block of the development. For purposes of this subsection, one block shall constitute no less than 300 linear feet and no more than 1,200 linear feet.

b. Shared parking areas shall be allowed.

c. Shared access agreements shall be required between adjacent developments.

d. ~~On-street parking shall be in accordance with subsection F.I.C., shown previously in this appendix.~~ On street, head-in parking may be allowed in the DD with the approval of the Planning and Zoning Commission, upon recommendation of the city engineer, in areas at least ~~75400~~ feet from FM 518 and/or FM 2351. No on street parking shall be allowed on FM 518 or on FM 2351 within the DD.

e. Development plans shall indicate how freight and goods will be delivered.

f. Development plans shall show the design and layout for all parking. Documentation shall be provided to verify authority for all shared or off-site parking.

g. All such required documentation shall be presented before a development plan is approved.

h. 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.

- i. All planted islands shall have curbs of sufficient height and width to contain the planted island.
- j. 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.
- k. 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.
- l. 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.
- m. 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.
- n. All plants shall receive proper irrigation to encourage deep root growth and survivability.

4. *Architectural standards.*

- a. Buildings in the DD shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass,~~ or lap sided cement fiberboard. ~~Sheet Fiber~~ cement fiberboards/siding are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.
- b. Exterior facades, including the roof, shall be limited to earth tone colors. Color samples shall be submitted as part of the commercial site plan. Earth tone colors depict the colors in nature; they include flat and muted shades of brown, green, blue, orange, and some reds and tans.
- ~~c~~b. Fenestration shall mean the openings in a wall, such as doors and windows, to include faux windows whether transparent or not. Such windows may be inoperative but must be framed as a window and otherwise appear to be a window. Painted openings would not be counted in fenestration calculations. Fenestration along front or other facades visible to the public shall be as follows:
 - (1) Walls visible to the public shall have windows and or doors (i.e., no blank walls allowed).
 - (2) Not less than 40 percent fenestration shall be provided for all ground floor primary facades (front or side) that face a public right-of-way.
 - (3) Not less than 25 percent fenestration shall be provided for all upper floor facades ~~(upper floors and those not facing a public right-of-way).~~
- ~~d~~e. Awnings and canopies are allowed upon approval of the ~~p~~lanning and ~~Z~~oning ~~e~~Commission.
- ~~e~~d. Fenestration calculations.
 - (1) Area of ground floor primary wall ~~(front or side)~~ facing ROW x 40 percent = minimum fenestration.
 - (2) Area of upper floor ~~or floor not facing ROW~~ x 25 percent = minimum fenestration.
- f. Garage bays or other similar large openings designed for automotive or industrial work, or designed for vehicles to drive into, shall not front FM 518 or FM 2351 within the Downtown

District boundary. This prohibition shall not include drive-thrus such as are typically found at banks for fast-food establishments. In the event that this requirement overlaps at an intersection, the architectural requirement regarding garage bays shall apply only to the frontage on one street as designated on the site plan.

5. *Screening.*

a. Mechanical equipment, such as roof top equipment, compressors, refrigeration units and trash enclosures, outside storage, and other nonpublic service areas that are visible from a public area, shall be screened to a height sufficient to completely screen the use from view at ground level. The term "view at 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 street or streets.

b. 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 constructed of the same materials as the building on the lot. Cyclone fences are prohibited. Under limited circumstances, the Planning and Zoning Commission may approve a vinyl coated cyclone fence.

c. See Section 8.L. for additional dumpster screening requirements.

6. *Sidewalks.*

a. Each development along FM 2351 and FM 518 shall provide a minimum 15-foot-wide parkway adjacent to the street right-of-way. The 15-foot parkway must contain an unobstructed brick-paved sidewalk, as described in Appendix E of the Design Criteria Manual, at least eight feet wide and a seven-foot wide landscape area.

b. Each development along all other streets within the downtown district shall provide a concrete sidewalk built in accordance with city standard specifications and shall be a minimum of six feet in width. Concrete sidewalks shall be built within the street right-of-way and adjacent to the right-of-way lines.

c. If sidewalks cannot be placed wholly within the right-of-way and must be placed on private property, easements of the appropriate width shall be required.

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.

(1) Trees shall be provided every 25 linear feet. Trees used in the 15-foot parkway shall be Class 2 or Class 3 trees from the city's qualified tree list, and other landscaping material such as bushes and/or groundcover may be used. The tree and landscaping material shall be maintained in living condition. One-half of the trees shall have a minimum caliper of four inches and one-half shall have 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.)

(2) Amenities shall be provided in accordance with the design criteria manual, Exhibit E, Downtown District Amenities. A minimum of two lights and two benches are required within the 15-foot parkway of each development. All provided amenities shall be permanently maintained by the property owner, including the brick-paved sidewalks.

- b. Developments along all other streets within the downtown district shall have a minimum ten-foot landscaped buffer located on private property and not less than one tree, whether existing or planted, shall be planted and maintained for each 25 lineal feet or portion thereof. Each such tree 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. Alternate sidewalk, landscape and amenity designs specific to the site or the function of the development within the downtown district may be considered by the Planning and Zoning Commission if it determines that the proposed alternative sidewalk is not narrower than six feet and provides, respectively:
 - (i) Equal or better pedestrian access to and along the development property;
 - (ii) Equal or enhanced landscape beautification for the development; or
 - (iii) Equal or better design amenities than otherwise required herein.

d. See Section 8.I. for additional information on maintenance and preservation of trees.

8. Adjacent property, buffer maintenance and installation.

- a. When a commercial use is established on a lot or premises located adjacent to any residential 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 commercial property between it and the adjacent protected property.
- b. 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 Planning and Zoning 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, with Planning and Zoning Commission approval.
- c. 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 Planning and Zoning 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 Planning and Zoning 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.
- d. 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.

9. Utilities.

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

APPENDIX E

Downtown District Amenities

Streetscape furnishings, as required by City of Friendswood Code of Ordinances, Appendix C – Zoning Ordinance for the Downtown District, are important functional elements and amenities. They should be of high quality, designed for outdoor use, and require minimal maintenance. All provided amenities shall be permanently maintained by the property owner, including paved walkways.

SEATING

Seating should be durable and comfortable. Sharp edges and poorly designed or fabricated furniture should be avoided. Metal is the required material. The seating design should complement other furnishings. All seating should be secured permanently to paved surfaces for safety and to avoid vandalism. The bench below is the preferred model; however, other benches of similar size and features may be approved by the Planning and Zoning Commission.



Manufacturer: Webcoat Products
Product: Metal benches
Model: B5WBCLASSIC
Size: 5'
Color/finish: Black finish
Aluminum frame w/contoured backs

TREE WELLS

Tree wells are an attractive way to protect trees planted in paved areas. Appropriate tree grates and tree wells should be similar to the following:



TREE GRATES

Manufacture: Neenah Foundry Company
Product: Tree grate
Model: ASTM A-48, Metropolitan Series



TREE WELLS

LIGHT POLES

Lighting plays an important part in the character, function, and security of a streetscape. It should be consistent with other streetscape elements and integrate the historic nature of the Downtown District. Light poles shall be the “Bishop’s Crook” style. The light pole below is the preferred model; however, other light poles of similar size and features may be approved by the Planning and Zoning Commission.

	Manufacturer:	Hadco
	Product:	Aluminum Pole w/Teardrop Fixture
	Color/finish:	Black powder coat
		Lighting must be metal halide or LED with full cutoff or semi cutoff fixtures that emits 7,000 to 8,000 lumen, or the equivalent thereof, and 5,000 to 6,000K (Kelvin – color temperature).

Lamp height maximum shall be 12’. Lamp height minimum shall be 10’. Lamp shall be positioned towards the rights-of-way to illuminate the public walkway.

Lamp height is the actual lamp height above ground measured at the bottom of the lamp fixture, where the globe or bulb begins.

TRASH RECEPTACLES

Trash receptacles should be easily accessible for pedestrians and trash collection. They must be placed to be unobtrusive yet effective and their design should relate to other site furnishings. Trash receptacles should be firmly attached to paving to avoid vandalism. They should include covered tops and sealed bottoms to keep contents dry and out of sight at all times. Appropriate trash receptacles should be similar to the following:

	Manufacturer:	Victor Stanley, Inc.
	Product:	Trash receptacle
	Model:	Steelsites RB series
	Color/finish:	Black finish TGIC polyester powder coat

PAVERS

Brick pavers must be used to construct the required brick-paved sidewalk in accordance with the specifications below. The paver color and pattern below is the preferred design; however, other pavers of similar colors and patterns may be approved by the Planning and Zoning Commission.

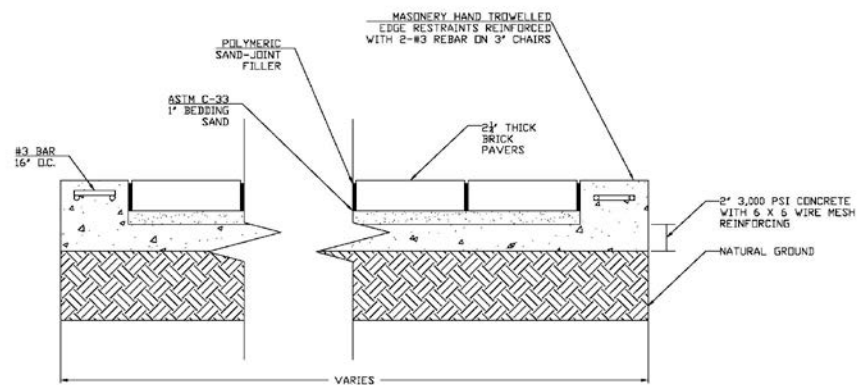
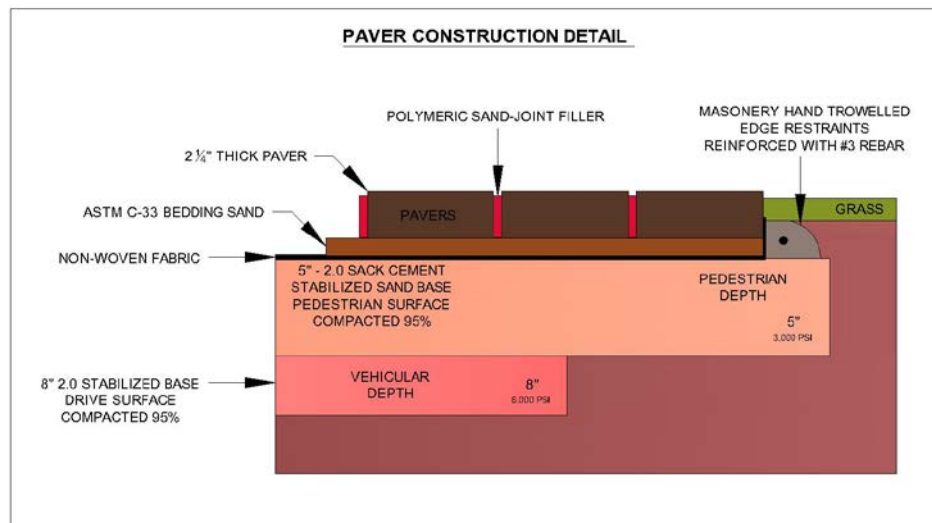
	Manufacturer:	Pine Hall Brick Company, Inc.
	Product:	Pavers
	Model:	Pathway Series, Full Range
	Size:	4" W x 8" L x 2 ¼" thick
	Color:	Red
	Pattern:	Stretcher Bond

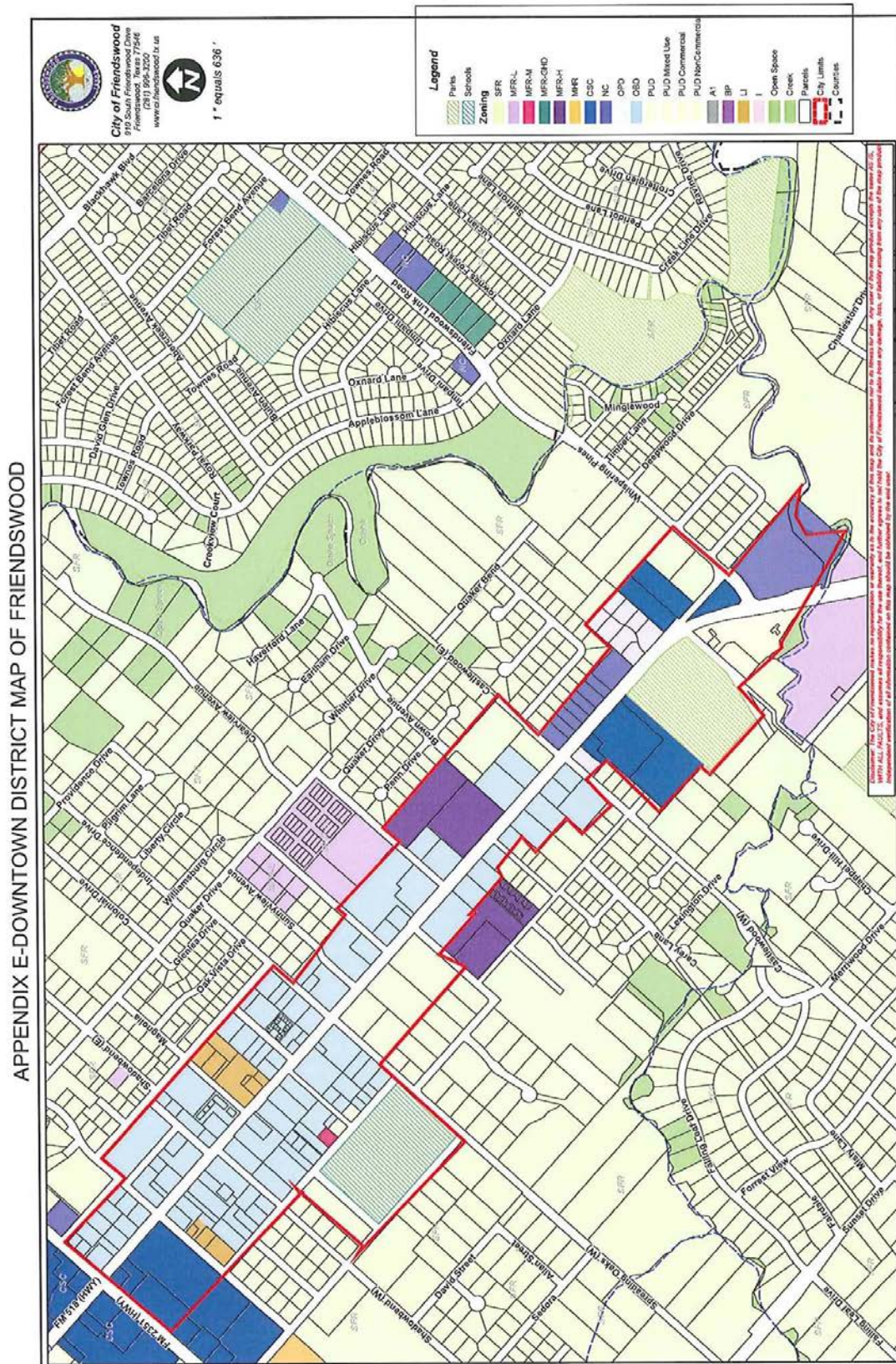
Brick pavers must be set on a sand base with a concrete border as stated below and shown on the attached construction detail drawing. No concrete or stamped concrete is allowed for the sidewalk surface.

Paver installation specs:

- 5" of 2.0 sack cement stabilized sand base
- Non-woven fabric weed block
- 1" of ASTM C-33 bedding sand
- 2 ¼" thick brick unit paver
- Polymeric joint sand
- Masonry hand troweled edge restraints reinforced with #3 rebar

If the pavers are a part of a drive surface for vehicular traffic, an 8" 2.0 stabilized base drive surface, compacted 95% must be installed below the 5" of 2.0 sack cement stabilized sand base.





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.*

	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
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							O			O	O	S	P	S

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	S		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
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	Transportation and Warehousing															
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	Information															
511	Publishing industries										O	S		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
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							P	P		P	P		P	P	P

[illegible]

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 elderly (without on-site nursing)	S1	S1					S	S		O	S				
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	S	S	S	S	S	S	P	S		O	P	S	S	S	S

	similar institutions											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			S		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							S			O	O		S	P	P

	maintenance										O				
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

Appendix A - SIGNS^[1]

Sec. 9. - Prohibited signs.

Signs of the following nature are expressly prohibited unless specifically authorized by this appendix:

- a. Billboards, including, but not limited to, new off-premises CEVMSs. Exception: existing billboards may be converted to CEVMSs, provided that they meet the requirements in section 26.f.
- b. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character as will offend public morals or decency.
- c. Obsolete signs.
- d. Animated signs.
- e. Signs that contain or have attached thereto banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, flash tags or other similar devices.
- f. Signs attached to exposed amenities, such as benches or trash containers.
- g. Any stereopticon or motion picture machine used in conjunction with or attached to any sign in such a manner as to permit the images projected therefrom to be visible from any public street or sidewalk.
- h. Snipe signs.
- i. Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential area.
- j. Signs placed on private property without the consent of the owner of the property.
- k. Flashing signs.
- l. Ground signs, except monument signs.
- m. In the Downtown District Boundary, no miniature, mini, Christmas, rope string lights, exposed LED storefront lights or other similar lighting in or framing windows (interior or exterior), including attached to the window frames with the exception of holiday lighting from November 15 to January 15.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix A Sign Ordinance "Section 9 Prohibited Signs" to prohibit LED storefront lights in the Downtown District boundary

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: Joint Public Hearing

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission. For reference, the original "Downtown District Review and Recommendations Linked Document" is provided in the back up materials. Some of the recommendations may have changed.

Review Item: prohibit LED storefront lights

The recommendation is to prohibit LED and similar storefront lights within the Downtown District boundary, regardless of zoning. Also, included in the ordinance is to require any existing lighting that violates this requirement to be removed within 90 days of the adoption of the ordinance.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Redlines – Sign Ordinance Section 9](#)

[Downtown District Review and Recommendations Linked Document](#)

Appendix A - SIGNS^[1]

Sec. 9. - Prohibited signs.

Signs of the following nature are expressly prohibited unless specifically authorized by this appendix:

- a. Billboards, including, but not limited to, new off-premises CEVMSs. Exception: existing billboards may be converted to CEVMSs, provided that they meet the requirements in section 26.f.
- b. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character as will offend public morals or decency.
- c. Obsolete signs.
- d. Animated signs.
- e. Signs that contain or have attached thereto banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, flash tags or other similar devices.
- f. Signs attached to exposed amenities, such as benches or trash containers.
- g. Any stereopticon or motion picture machine used in conjunction with or attached to any sign in such a manner as to permit the images projected therefrom to be visible from any public street or sidewalk.
- h. Snipe signs.
- i. Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential area.
- j. Signs placed on private property without the consent of the owner of the property.
- k. Flashing signs.
- l. Ground signs, except monument signs.
- m. In the Downtown District Boundary, no miniature, mini, Christmas, rope string lights, exposed LED storefront lights or other similar lighting in or framing windows (interior or exterior), including attached to the window frames with the exception of holiday lighting from November 15 to January 15.

Downtown District (DD) Zoning Regulations Review and Proposed Amendments

Subject	Current Requirement	Request	Recommendation	Applicable Attachments	Changes
Downtown District Boundary Established in 2008: Ordinance 2007-18 Ordinance 2008-30	Properties outside the Downtown District Boundary cannot change to DD zoning. See yellow highlight in the attachment.	To incorporate 110 Whispering Pines into DD Boundary; also review other boundaries for potential changes.	Not recommended due to complexity that would be created by changing the boundary in regards to the expenditure of 4B sales tax and application of the Neighborhood Empowerment Zone (NEZ).	DD Boundary Map Zoning Ordinance Section 8.N. Resolution 2008-103: Neighborhood Empowerment Zone (NEZ) Amendment Resolution 2016-10: Canvass of Sales Tax Election	No
Buffer Requirements - copy to DD section	Gray highlight and Green Text	n/a	Copy language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.I. to Section 8.N.	Yes
Parking Requirements - move to DD section	Gray Highlight and Green Text	n/a	Relocated language to ensure that all DD requirements are in one section.	From Zoning Ordinance Section 8.F. to Section 8.N.	Yes
Head-In, on-street parking	Currently allowed 400ft from FM 518 or FM 2351	Allow head in parking closer to FM 518 or FM 2351.	Change to 75 feet - same as driveway spacing from a major thoroughfare requirement in Design Criteria Manual.	Zoning Ordinance Section 8.N.3.d	Yes
Façade materials	cement fiber board is prohibited	Allow cement fiber board installed as lap siding; not flat sheets.	Allow cement fiber board installed as lap siding.	Zoning Ordinance Section 7.I. Zoning Ordinance Section 8.N.4.	Yes
Fenestration	40% on ground floors facing ROW; 25% on upper floors and those not facing a ROW	Reduce requirement for facades facing interior of lots and adjacent to residential development.	Leave 40% requirement on first floor; eliminate 25% fenestration requirement on lower floors not facing a right-of-way.	Zoning Ordinance Section 8.N.4.	Yes

Downtown District (DD) Zoning Regulations Review and Proposed Amendments

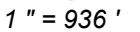
Community Overlay District (COD) vs. Downtown District (DD)	Aesthetic requirements are more stringent in the COD; review and determine which requirements, if any, should also be applicable to DD	Review requirements of the Community Overlay District (COD) and determine if those should also be incorporated into DD.	Add the following requirements: underground utilities bay doors not facing thoroughfares earth tone colors screening materials same as building add reference to dumpster screening requirements	Zoning Ordinance Section 8.N.4.	Yes
Permitted Uses	See Permitted Use Table	Review uses allowed in DD.	No changes recommended at this time.	Zoning Ordinance Section 7.P.6.	No
Pedestrian Lighting	Minimum 2 lights; Design Criteria Manual details type of light required	Review in relation to DD Improvement Plan by FDEDC.	No changes at this time; waiting on additional info from FDEDC.	Design Criteria Manual - Appendix E	No
PUD Modification (clean up - relocating existing language)		A portion of the PUD requirements was relocated in the Zoning Ordinance, but the modification section was not relocated.	Move to correct location in Zoning Ordinance.	Move from Section 8.H. to Section 7.J.	Yes
Signs LED lighting in storefront windows	No regulation	LED lighting in storefront windows detracts from the decorative, pedestrian lighting being installed in DD.	In DD only, prohibit neon signs and LED or similar lighting in windows; make effective 90 days from ordinance adoption; require existing businesses to remove; exception holiday lighting from Nov. 15 to Jan. 15.	Appendix A Sign Ordinance	Yes

Web Links to full Ordinances:

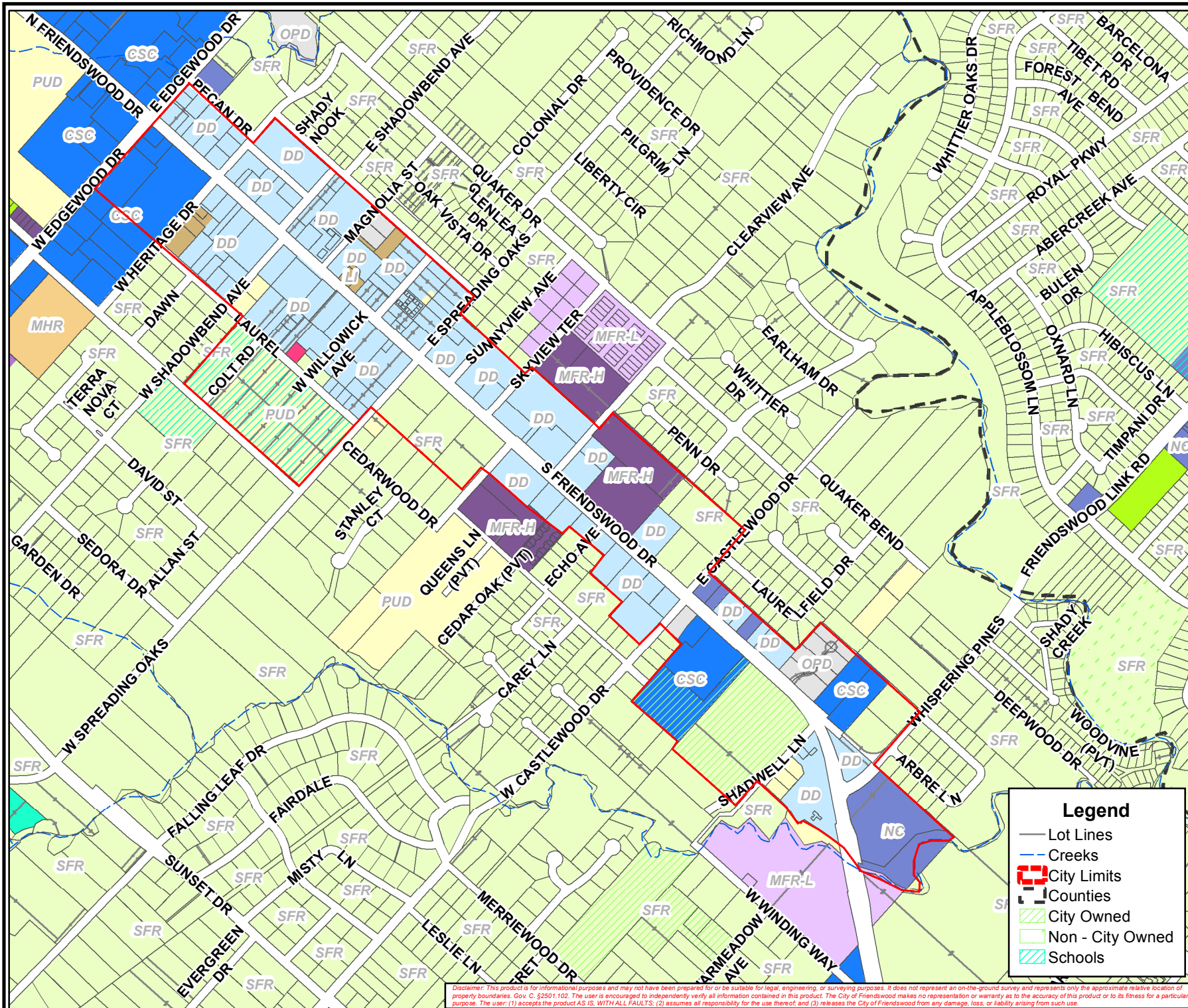
[Appendix C Zoning Ordinance](#)

[Appendix A Sign Ordinance](#)

[Design Criteria Manual](#)



Friendswood GIS Mapping



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

RESOLUTION R2008-103

A RESOLUTION OF THE CITY OF FRIENDSWOOD, TEXAS, AMENDING RESOLUTION R2008-54 CREATING NEIGHBORHOOD EMPOWERMENT ZONE #1 BY FURTHER DEFINING THE ZONE'S GEOGRAPHICAL BOUNDARIES AND THE IMPROVEMENTS THAT ARE ELIGIBLE FOR INCENTIVES.

* * * * *

WHEREAS, the City of Friendswood created Neighborhood Empowerment Zone #1 in accordance with state law on June 16, 2008, to provide certain economic development incentives for the downtown area with the purpose of encouraging private investment and reinvestment of sustainable neighborhoods and businesses in the City; and

WHEREAS, the City Council of the City of Friendswood, Texas, desires to amend Resolution R2008-54 that created Neighborhood Empowerment Zone #1 to expand the zone's geographical boundaries and to make provisions for projects to be eligible for certain incentives;

NOW, THEREFORE, BE IT DECLARED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City amends Section 1 of Resolution R2008-54, dated June 16, 2008, modifying the boundaries of Neighborhood Empowerment Zone #1 (NEZ), as described in Exhibit "A," Area "A" to expand and include the geographical area along Friendswood Drive from Castlewood to Cowards Creek as described in Exhibit "A," Area "B." NEZ#1 shall include any current and future properties that are zoned Downtown District within Exhibit "A."

Section 2. That the City Council hereby amends Section 4 of Resolution R2008-54, dated June 16, 2008, and declares that the City will waive one-hundred percent (100%) of all fees related to construction and development including zoning, platting, site plan review, building, plumbing, mechanical, electrical, and gas permits and one-hundred percent (100%) of water and waste water impact fees as follows:

Area "A" of NEZ#1 – the City of Friendswood will waive fees for businesses and developers that are "for profit" and that are zoned Downtown District.

Area "B" of NEZ#1 – The City will waive fees for businesses and developers that are "for profit," zoned Downtown District, and that incorporate sidewalk or façade improvements into their overall development plan according to the downtown district zoning guidelines.

Section 3. City Council or their designee will consider waiving fees on a case-by-case basis for other properties located within Exhibit "A" that are not zoned Downtown District, i.e. Planned Unit Development, Multi Family Residential, Single Family Residential, provided that downtown sidewalks or downtown façade improvements are incorporated into their overall development plan.

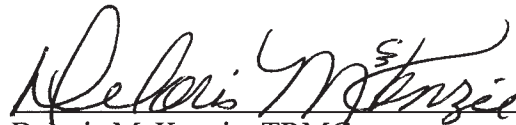
Section 4. That this resolution shall take effect from the date after its passage as the law in such case provides.

PASSED, APPROVED and ADOPTED by the City Council of Friendswood, Texas on this the 15th day of December, 2008.



David J. H. Smith
Mayor

ATTEST:



Deloris McKenzie, TRMC
City Secretary



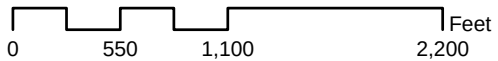
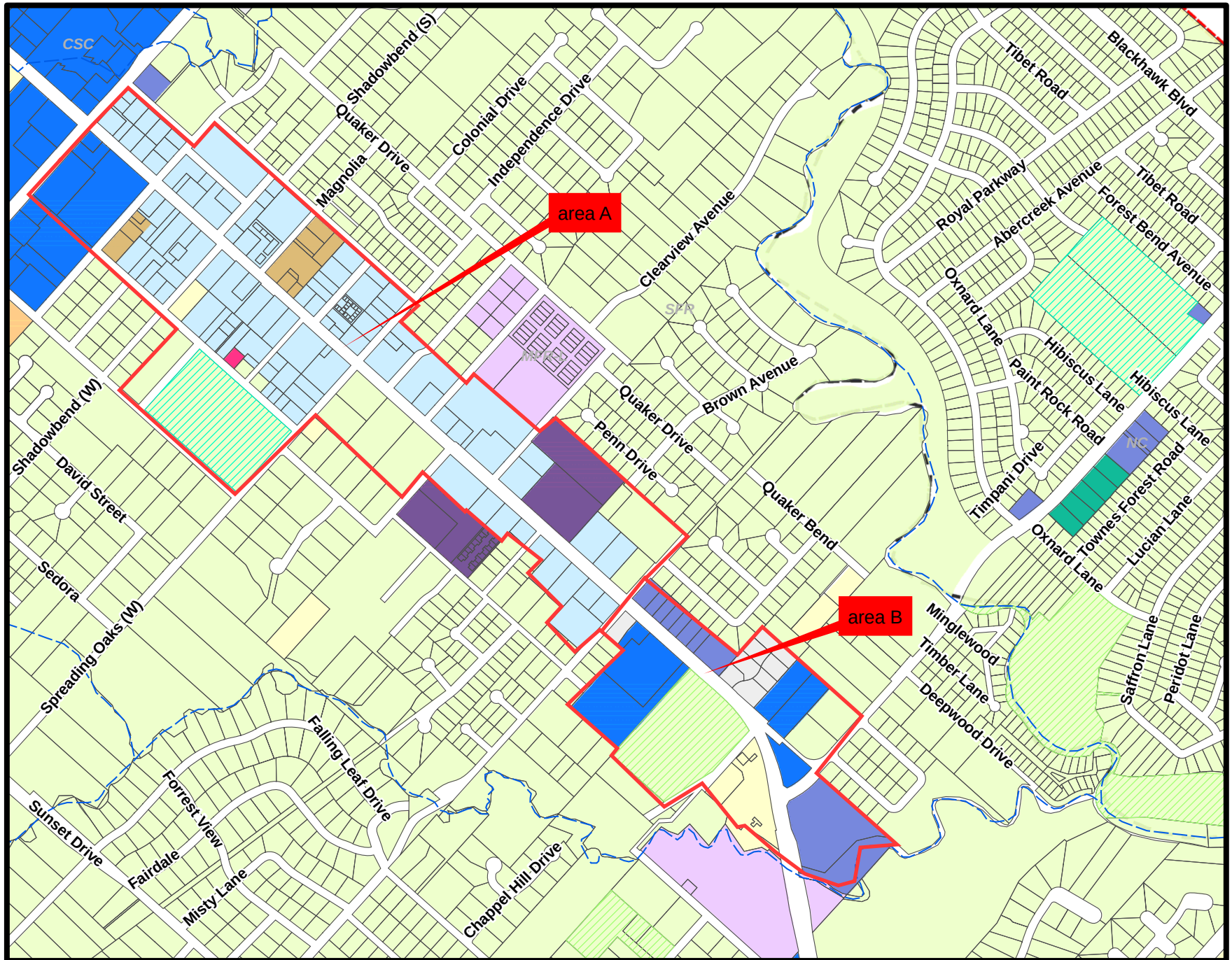
Exhibit A



Legend

Street Names

- Creeks
- ▨ Parks
- ▨ Schools
- ▨ Parcels
- Zoning**
- Zoning**
- SFR
- MFR-L
- MFR-M
- MFR-GHD
- MFR-H
- MHR
- CSC
- NC
- OPD
- DD
- PUD
- PUD Mixed Use
- PUD Commercial
- PUD NonCommercial
- A1
- BP
- LI
- I
- Open Space
- Creek
- City Limits
- Counties



RESOLUTION NO. R2016-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF FRIENDSWOOD, TEXAS, CANVASSING THE RETURNS
AND DECLARING THE RESULTS OF A SPECIAL
ELECTION HELD ON MAY 07, 2016, REGARDING TWO (2)
PROPOSITIONS RELATING TO STREET MAINTENANCE
SALES AND USE TAX AND DOWNTOWN
IMPROVEMENTS SALES AND USE TAX.**

* * * * *

WHEREAS, this City Council ordered an election to be held in said City on May 7, 2016, on the PROPOSITIONS hereinafter stated; and

WHEREAS, said City Council has investigated all matters pertaining to said election, including the ordering, giving notice, appointing election officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to said City Council.

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City Council officially finds and determines that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that the City has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of said election have been made and delivered, and that the City Council has duly canvassed said returns, all in accordance with law and the Resolution calling said election.

Section 2. That the City Council officially finds and determines that the following votes were cast at said election, on the submitted PROPOSITIONS by the resident, qualified electors of said City, who voted at the election:

STREET MAINTENANCE SALES AND USE TAX

FOR	<u>1,485</u>	) THE ADOPTION OF A LOCAL SALES AND USE TAX IN
		) THE CITY OF FRIENDSWOOD, TEXAS AT THE RATE
		) OF THREE-EIGHTHS (3/8) OF ONE PERCENT (1%) TO
AGAINST	<u>925</u>	) PROVIDE REVENUE FOR MAINTENANCE AND REPAIR
		) OF MUNICIPAL STREETS.

DOWNTOWN IMPROVEMENTS SALES AND USE TAX

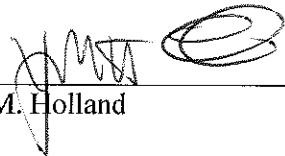
FOR	<u>1,274</u>	) THE ADOPTION OF A TYPE B LOCAL SALES AND USE
		) TAX IN THE CITY OF FRIENDSWOOD, TEXAS AT THE
AGAINST	<u>1,135</u>	) RATE OF ONE-EIGHTH (1/8) OF ONE PERCENT (1%) TO
		) UNDERTAKE PROJECTS AUTHORIZED UNDER
		) CHAPTER 505 OF THE LOCAL GOVERNMENT CODE,
		) TO PROMOTE NEW OR EXPANDED BUSINESS
		) ENTERPRISES IN THE DOWNTOWN AREA AS DEFINED
		) BY THE CITY OF FRIENDSWOOD DOWNTOWN
		) DISTRICT MAP, INCLUDING BUT NOT LIMITED TO
		) STREETS, TARGETED INFRASTRUCTURE, PAVED
		) SIDEWALKS, PEDESTRIAN AMENITIES INCLUDING
		) LIGHTING, BENCHES, SIGNAGE, AND OTHER
		) RELATED PUBLIC IMPROVEMENTS, AND THE
		) MAINTENANCE AND OPERATIONS EXPENSES FOR
		) ANY OF THE ABOVE-DESCRIBED PROJECTS.

Section 3. That the City Council finds and determines that the sales and use tax propositions carried at the election, and that the City Council is accordingly authorized to levy the sales and use tax in accordance with the authority granted in the propositions and with the law. The City Council shall subsequently adopt, by separate action, an ordinance adopting, imposing, and levying the approved sales and use taxes at the rates provided for in the propositions as approved by the voters.

Section 4. The City Secretary is authorized and directed to send to the Texas State Comptroller of Public Accounts by United States certified or registered mail, a certified copy of

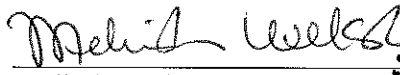
this Resolution, along with a map of the City, clearly showing the boundaries of the City and, upon its adoption, a certified copy of the Sales Tax Levy Ordinance, as required by Section 321.405 of the Texas Tax Code.

PASSED, APPROVED, AND RESOLVED this 16th day of May, 2016.

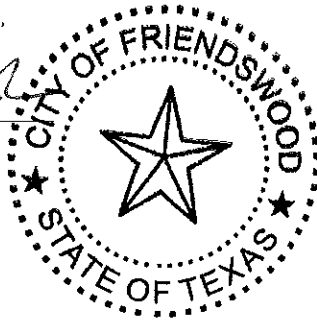


Kevin M. Holland
Mayor

ATTEST:



Melinda Welsh, TRMC
City Secretary



CERTIFICATE FOR RESOLUTION

**THE STATE OF TEXAS
COUNTIES OF GALVESTON AND HARRIS
CITY OF FRIENDSWOOD**

§
§
§

We, the undersigned officers of the City Council of said City, hereby certify as follows:

1. The City Council of the City convened in a REGULAR MEETING ON THE 16TH DAY OF MAY, 2016, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of the Council, to wit:

Kevin M. Holland, Mayor
Billy J. Enochs
Steve Rockey
Jim Hill, Mayor Pro-Tem
Patrick J. McGinnis, MD
John H. Scott
Carl W. Gustafson

Melinda Welsh, City Secretary
Roger Roecker, City Manager

and all of the persons were present, except the following absentees: None, except thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written

RESOLUTION CANVASSING A TAX ELECTION

was duly introduced for the consideration of the Council. It was then duly moved and seconded that the Resolution be passed; and, after due discussion, the motion, carrying with it the passage of the Resolution, prevailed and carried by the following vote:

AYES: All members of said Council shown present above voted "Aye",
except as noted below:

NOES: 0

ABSTENTIONS: 0

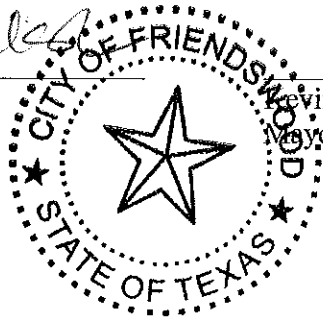
2. That a true, full and correct copy of the aforesaid Resolution passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Resolution has been duly recorded in the Council's minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Council's minutes of the Meeting pertaining to the passage of the Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the

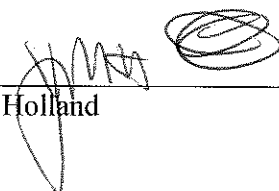
Council as indicated therein; that each of the officers and members of the Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, and each of the officers and members consented, in advance, to the holding of the Meeting for such purpose; that the Meeting was open to the public and public notice of the time, place and purpose of the Meeting as given, all as required by Chapter 551, Government Code.

SIGNED the 16th day of MAY, 2016



Melinda Welsh, TRMC
City Secretary




Kevin M. Holland
Mayor

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Section 7. - Schedule of district regulations.

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 ~~P~~lanning and ~~Z~~oning ~~C~~ommission.

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.

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 shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass, or lap sided cement fiberboard.~~ ~~Sheet Fiber~~ cement ~~fiberboards/siding~~ are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.

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 ~~p~~lanning and ~~Z~~oning ~~C~~ommission 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.
- (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 ~~P~~Planning and ~~Z~~zoning ~~C~~commission and city council in accordance with the notification procedure set forth for a rezoning application. Following the public hearing, the ~~P~~Planning and ~~Z~~zoning ~~C~~commission shall forward the plan with its recommendation to the city council for consideration. The ~~P~~Planning and ~~Z~~zoning ~~C~~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.

(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.

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Section 8. - Supplementary district regulations.

...

- 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.
- a. 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.
- ~~b. Downtown district parking. To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Head-in parking may be allowed in the DD with the approval of the commission, upon recommendation of the city engineer, in areas at least 400 feet from FM 518 and/or FM 2351. No on-street parking shall be allowed on FM 518 or on FM 2351 within the DD. Parking spaces and parking lot geometrics shall comply with the requirements of the current design criteria.~~
- ~~Off-street loading regulations. The intent of this section is to ensure that an adequate off-street loading area is provided with the construction, alteration, or change of use of any business building or structure, or with any change in land use.~~
- ~~b1.~~ 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.
- ~~c2.~~ 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 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.

~~Modification of standards proposed within a PUD.~~

- ~~1. 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.~~
- ~~2. 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.~~

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.

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. ~~Each such~~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.

(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.

...

- 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 section 6.D.

1. *Geographic limits.* The geographic limits of the downtown district are as shown on the downtown district map. All properties within these geographic limits may rezone to downtown zone. Those properties outside the geographic limits may not rezone to the downtown zone.

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.

a. Off-site parking shall be allowed if within one block of the development. For purposes of this subsection, one block shall constitute no less than 300 linear feet and no more than 1,200 linear feet.

b. Shared parking areas shall be allowed.

c. Shared access agreements shall be required between adjacent developments.

d. ~~On-street parking shall be in accordance with subsection F.I.C., shown previously in this appendix.~~ On street, head-in parking may be allowed in the DD with the approval of the Planning and Zoning Commission, upon recommendation of the city engineer, in areas at least ~~75400~~ feet from FM 518 and/or FM 2351. No on street parking shall be allowed on FM 518 or on FM 2351 within the DD.

e. Development plans shall indicate how freight and goods will be delivered.

f. Development plans shall show the design and layout for all parking. Documentation shall be provided to verify authority for all shared or off-site parking.

g. All such required documentation shall be presented before a development plan is approved.

h. 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.

- i. All planted islands shall have curbs of sufficient height and width to contain the planted island.
- j. 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.
- k. 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.
- l. 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.
- m. 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.
- n. All plants shall receive proper irrigation to encourage deep root growth and survivability.

4. *Architectural standards.*

- a. Buildings in the DD shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass,~~ or lap sided cement fiberboard. ~~Sheet Fiber~~ cement fiberboards/siding are prohibited, except as trim for eaves and overhangs. The ~~P~~lanning and ~~Z~~oning ~~C~~ommission may approve alternative exterior facade materials.
- b. Exterior facades, including the roof, shall be limited to earth tone colors. Color samples shall be submitted as part of the commercial site plan. Earth tone colors depict the colors in nature; they include flat and muted shades of brown, green, blue, orange, and some reds and tans.
- ~~c~~b. Fenestration shall mean the openings in a wall, such as doors and windows, to include faux windows whether transparent or not. Such windows may be inoperative but must be framed as a window and otherwise appear to be a window. Painted openings would not be counted in fenestration calculations. Fenestration along front or other facades visible to the public shall be as follows:
 - (1) Walls visible to the public shall have windows and or doors (i.e., no blank walls allowed).
 - (2) Not less than 40 percent fenestration shall be provided for all ground floor primary facades (front or side) that face a public right-of-way.
 - (3) Not less than 25 percent fenestration shall be provided for all upper floor facades ~~(upper floors and those not facing a public right-of-way).~~
- ~~d~~e. Awnings and canopies are allowed upon approval of the ~~p~~lanning and ~~Z~~oning ~~e~~Commission.
- ~~e~~d. Fenestration calculations.
 - (1) Area of ground floor primary wall ~~(front or side)~~ facing ROW x 40 percent = minimum fenestration.
 - (2) Area of upper floor ~~or floor not facing ROW~~ x 25 percent = minimum fenestration.
- f. Garage bays or other similar large openings designed for automotive or industrial work, or designed for vehicles to drive into, shall not front FM 518 or FM 2351 within the Downtown

District boundary. This prohibition shall not include drive-thrus such as are typically found at banks for fast-food establishments. In the event that this requirement overlaps at an intersection, the architectural requirement regarding garage bays shall apply only to the frontage on one street as designated on the site plan.

5. *Screening.*

a. Mechanical equipment, such as roof top equipment, compressors, refrigeration units and trash enclosures, outside storage, and other nonpublic service areas that are visible from a public area, shall be screened to a height sufficient to completely screen the use from view at ground level. The term "view at 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 street or streets.

b. 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 constructed of the same materials as the building on the lot. Cyclone fences are prohibited. Under limited circumstances, the Planning and Zoning Commission may approve a vinyl coated cyclone fence.

c. See Section 8.L. for additional dumpster screening requirements.

6. *Sidewalks.*

a. Each development along FM 2351 and FM 518 shall provide a minimum 15-foot-wide parkway adjacent to the street right-of-way. The 15-foot parkway must contain an unobstructed brick-paved sidewalk, as described in Appendix E of the Design Criteria Manual, at least eight feet wide and a seven-foot wide landscape area.

b. Each development along all other streets within the downtown district shall provide a concrete sidewalk built in accordance with city standard specifications and shall be a minimum of six feet in width. Concrete sidewalks shall be built within the street right-of-way and adjacent to the right-of-way lines.

c. If sidewalks cannot be placed wholly within the right-of-way and must be placed on private property, easements of the appropriate width shall be required.

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.

(1) Trees shall be provided every 25 linear feet. Trees used in the 15-foot parkway shall be Class 2 or Class 3 trees from the city's qualified tree list, and other landscaping material such as bushes and/or groundcover may be used. The tree and landscaping material shall be maintained in living condition. One-half of the trees shall have a minimum caliper of four inches and one-half shall have 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.)

(2) Amenities shall be provided in accordance with the design criteria manual, Exhibit E, Downtown District Amenities. A minimum of two lights and two benches are required within the 15-foot parkway of each development. All provided amenities shall be permanently maintained by the property owner, including the brick-paved sidewalks.

- b. Developments along all other streets within the downtown district shall have a minimum ten-foot landscaped buffer located on private property and not less than one tree, whether existing or planted, shall be planted and maintained for each 25 lineal feet or portion thereof. Each such tree 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. Alternate sidewalk, landscape and amenity designs specific to the site or the function of the development within the downtown district may be considered by the Planning and Zoning Commission if it determines that the proposed alternative sidewalk is not narrower than six feet and provides, respectively:
 - (i) Equal or better pedestrian access to and along the development property;
 - (ii) Equal or enhanced landscape beautification for the development; or
 - (iii) Equal or better design amenities than otherwise required herein.

d. See Section 8.I. for additional information on maintenance and preservation of trees.

8. Adjacent property, buffer maintenance and installation.

- a. When a commercial use is established on a lot or premises located adjacent to any residential 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 commercial property between it and the adjacent protected property.
- b. 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 Planning and Zoning 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, with Planning and Zoning Commission approval.
- c. 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 Planning and Zoning 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 Planning and Zoning 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.
- d. 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.

9. Utilities.

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

APPENDIX E

Downtown District Amenities

Streetscape furnishings, as required by City of Friendswood Code of Ordinances, Appendix C – Zoning Ordinance for the Downtown District, are important functional elements and amenities. They should be of high quality, designed for outdoor use, and require minimal maintenance. All provided amenities shall be permanently maintained by the property owner, including paved walkways.

SEATING

Seating should be durable and comfortable. Sharp edges and poorly designed or fabricated furniture should be avoided. Metal is the required material. The seating design should complement other furnishings. All seating should be secured permanently to paved surfaces for safety and to avoid vandalism. The bench below is the preferred model; however, other benches of similar size and features may be approved by the Planning and Zoning Commission.



Manufacturer: Webcoat Products
Product: Metal benches
Model: B5WBCLASSIC
Size: 5'
Color/finish: Black finish
Aluminum frame w/contoured backs

TREE WELLS

Tree wells are an attractive way to protect trees planted in paved areas. Appropriate tree grates and tree wells should be similar to the following:



TREE GRATES

Manufacture: Neenah Foundry Company
Product: Tree grate
Model: ASTM A-48, Metropolitan Series



TREE WELLS

LIGHT POLES

Lighting plays an important part in the character, function, and security of a streetscape. It should be consistent with other streetscape elements and integrate the historic nature of the Downtown District. Light poles shall be the “Bishop’s Crook” style. The light pole below is the preferred model; however, other light poles of similar size and features may be approved by the Planning and Zoning Commission.

	Manufacturer:	Hadco
	Product:	Aluminum Pole w/Teardrop Fixture
	Color/finish:	Black powder coat
		Lighting must be metal halide or LED with full cutoff or semi cutoff fixtures that emits 7,000 to 8,000 lumen, or the equivalent thereof, and 5,000 to 6,000K (Kelvin – color temperature).

Lamp height maximum shall be 12’. Lamp height minimum shall be 10’. Lamp shall be positioned towards the rights-of-way to illuminate the public walkway.

Lamp height is the actual lamp height above ground measured at the bottom of the lamp fixture, where the globe or bulb begins.

TRASH RECEPTACLES

Trash receptacles should be easily accessible for pedestrians and trash collection. They must be placed to be unobtrusive yet effective and their design should relate to other site furnishings. Trash receptacles should be firmly attached to paving to avoid vandalism. They should include covered tops and sealed bottoms to keep contents dry and out of sight at all times. Appropriate trash receptacles should be similar to the following:

	Manufacturer:	Victor Stanley, Inc.
	Product:	Trash receptacle
	Model:	Steelsites RB series
	Color/finish:	Black finish TGIC polyester powder coat

PAVERS

Brick pavers must be used to construct the required brick-paved sidewalk in accordance with the specifications below. The paver color and pattern below is the preferred design; however, other pavers of similar colors and patterns may be approved by the Planning and Zoning Commission.

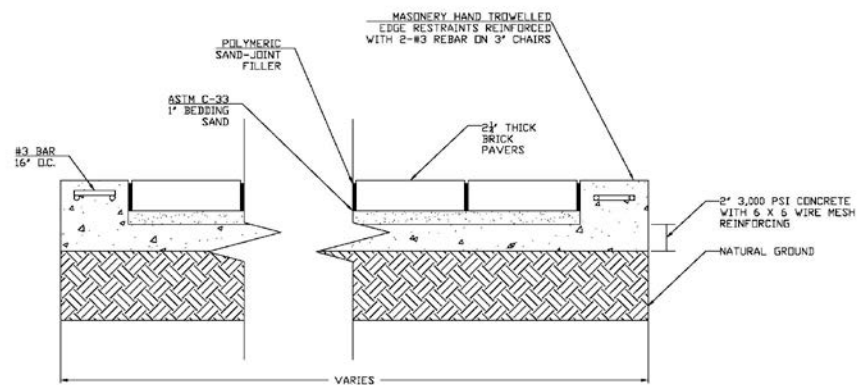
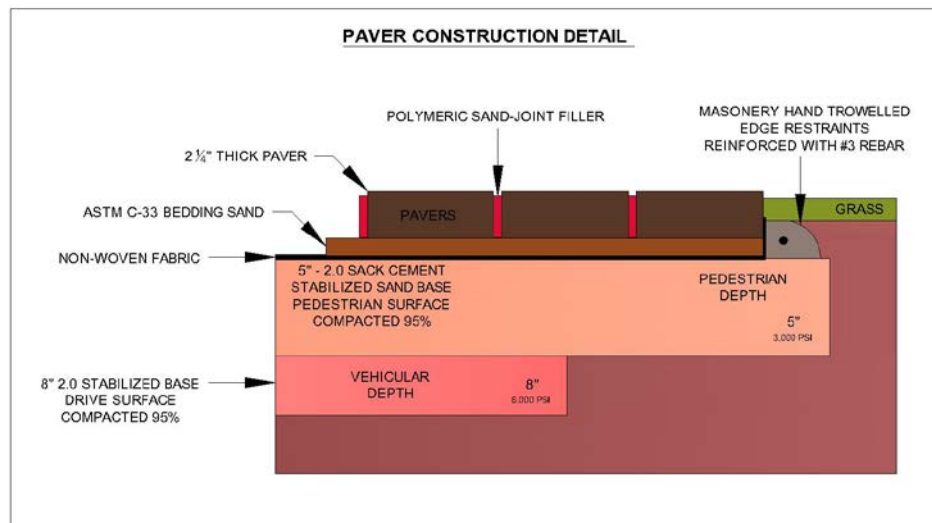
	Manufacturer:	Pine Hall Brick Company, Inc.
	Product:	Pavers
	Model:	Pathway Series, Full Range
	Size:	4" W x 8" L x 2 1/4" thick
	Color:	Red
	Pattern:	Stretcher Bond

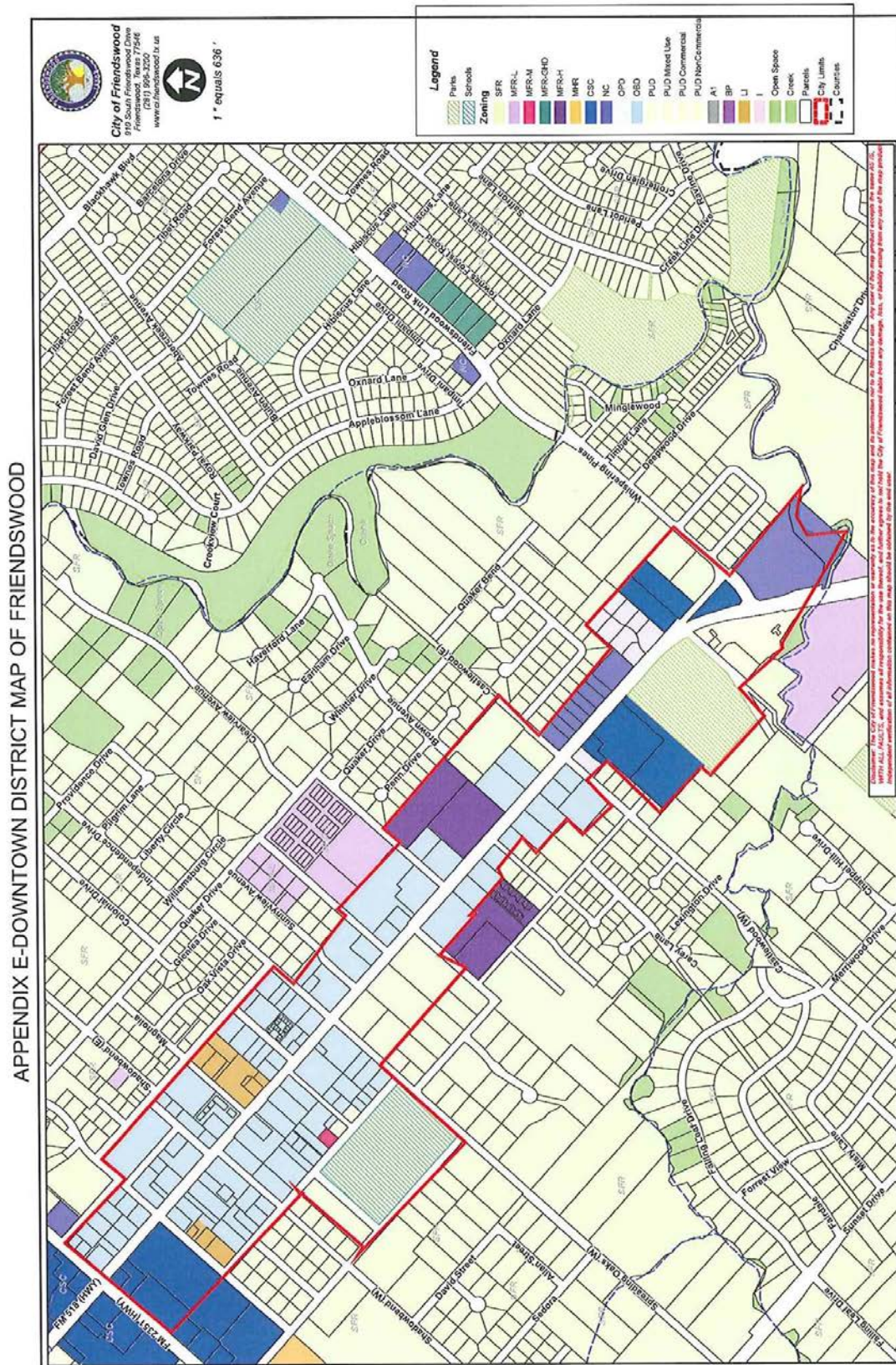
Brick pavers must be set on a sand base with a concrete border as stated below and shown on the attached construction detail drawing. No concrete or stamped concrete is allowed for the sidewalk surface.

Paver installation specs:

- 5" of 2.0 sack cement stabilized sand base
- Non-woven fabric weed block
- 1" of ASTM C-33 bedding sand
- 2 1/4" thick brick unit paver
- Polymeric joint sand
- Masonry hand troweled edge restraints reinforced with #3 rebar

If the pavers are a part of a drive surface for vehicular traffic, an 8" 2.0 stabilized base drive surface, compacted 95% must be installed below the 5" of 2.0 sack cement stabilized sand base.





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.*

	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
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							O			O	O	S	P	S

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	S		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
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	Transportation and Warehousing																
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	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	Information																
511	Publishing industries											O	S		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
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							P	P		P	P		P	P	P

[illegible]

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 elderly (without on-site nursing)	S1	S1					S	S		O	S				
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	S	S	S	S	S	S	P	S		O	P	S	S	S	S

	similar institutions											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			S		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	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	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							S			O	O		S	P	P			

	maintenance											O					
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			
8122	Death care services						S	S			O	S		S			S
8123	Dry cleaning and laundry services						P	P			P	P		P			
8129	Other personal services						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			
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			
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	

Appendix A - SIGNS^[1]

Sec. 9. - Prohibited signs.

Signs of the following nature are expressly prohibited unless specifically authorized by this appendix:

- a. Billboards, including, but not limited to, new off-premises CEVMSs. Exception: existing billboards may be converted to CEVMSs, provided that they meet the requirements in section 26.f.
- b. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character as will offend public morals or decency.
- c. Obsolete signs.
- d. Animated signs.
- e. Signs that contain or have attached thereto banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, flash tags or other similar devices.
- f. Signs attached to exposed amenities, such as benches or trash containers.
- g. Any stereopticon or motion picture machine used in conjunction with or attached to any sign in such a manner as to permit the images projected therefrom to be visible from any public street or sidewalk.
- h. Snipe signs.
- i. Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential area.
- j. Signs placed on private property without the consent of the owner of the property.
- k. Flashing signs.
- l. Ground signs, except monument signs.
- m. In the Downtown District Boundary, no miniature, mini, Christmas, rope string lights, exposed LED storefront lights or other similar lighting in or framing windows (interior or exterior), including attached to the window frames with the exception of holiday lighting from November 15 to January 15.

2019
Friendswood Fourth of July
Celebration

Good evening Mayor and Councilmembers. It is my pleasure to represent the Fourth of July Steering Committee.

On Thursday, July 4th the Committee and the City of Friendswood proudly present the 124th annual Fourth of July Celebration. This year's theme is **"There's no place like Home."**

The day begins at 10 a.m. with our Grand Parade. It features more than 100 entries from Friendswood and around the State. This year we will be honoring as our **Parade Grand Marshalls Allen Rasmussen, Senior Executive Vice President of HomeTown Bank** – we chose him for his overwhelming generosity in supporting all events in Friendswood.

After the parade, in Stevenson Park there will be rides, games, food, live entertainment, and more than 50 booths, until 3:30.

The Evening Program at Centennial Park begins at 7:30. Starting at 6:30, there will be free shuttle service to the Park from Friendswood High School and Friendswood United Methodist Church.

Molly Ringwalds, will headline the evening entertainment. Following the entertainment will be a fantastic fireworks extravaganza, choreographed to patriotic music.

For more information, sign up to be in the parade, or have a booth in Stevenson Park, please contact the Parks and Recreation Department at 281-996-3220.

We would like to thank this year's 2019 Committee Members:

Chair Tommy McDonald,
Vice-Chair Barbara Blanchard,
Anthony, Christine and Stacy Scarpa,
Michelle Bjacek
Stephanie Karacostas
Darrell Fales,

Rufino Ramirez,
Terri Corbett,
Kathy Molinaro,
Terry McKee
and
Renaë Rives.

The Friendswood Chamber of Commerce Liaison is Diane Hass

City Council Liaison - Trish Hanks.

From the Parks and Recreation Department; Director James Toney, and his staff,

Michael Boyett,
Kimberly Ramirez,
Heather Whitty,
Katy Blanchard,
Cole Mendenhall
Gary Williams and all the Park Staff



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 06, 2019

Prepared by: Michelle Perez/Melinda Welsh

Date Submitted: April 22, 2019

Subject: Appointment/Reappointment to West Ranch Management District Board (WRMD)

Originating Department: Mayor Foreman's Office

Proceeding: D&PA

(I.E. Special Session, Discussion and Possible Action (contracts, agreements, appointments, directives), Resolution, Ordinance, Communication from Mayor/Council, Consent Agenda)

Degree of importance: Critical ☐ Significant ☒ Elective ☐

SUMMARY / ORIGINATING CAUSE

The West Ranch Management District and Board were created in 2005 by the Texas Legislature. The Board consists of five members, three appointed by Friendswood Development Company and approved by the City Council, and two appointed by the City Council.

The terms of Directors Sawyer Blackburn and Frank Harper end June 01, 2019. Frank Harper requested not to be reappointed. Sawyer Blackburn has agreed to serve on the WRMD Board for another four-year term. Mayor Foreman recommends reappointing Sawyer Blackburn and appointing Meredith Levine to a four-year term ending June 01, 2023.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The Board members represent the WRMD in overseeing the business matters.

ASSOCIATED COSTS/FUNDING SOURCE

N/A

ATTACHMENTS

[WRMD Letter Meredith Levine vol app](#)

Note: Attach additional backup information considered necessary to convey all the facts of the issue to be considered.

Copy- Mayor and Councilmembers, City Manager, City Secretary, all affected departments



**CC:M & CC
CITY MGR**

WEST RANCH MANAGEMENT DISTRICT

c/o Allen Boone Humphries Robinson LLP
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027
(713) 860-6400

April 26, 2019

The Honorable Mike Foreman
and City Council Members
City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546

Re: Appointment of Directors to West Ranch Management District

Dear Mayor Foreman and Council Members:

As you know, the City of Friendswood has authority to appoint the directors of the Board of Directors of West Ranch Management District (the "District") at the beginning of their terms. The legislation creating the District provides for the appointment of three directors based upon recommendations of the majority property owner, and two direct appointments. The terms of Directors Sawyer Blackburn and Frank Harper end June 1, 2019. Director Sawyer Blackburn has agreed to serve the Board for a four-year term.

Therefore, the Board of Directors of the District respectfully requests that City of Friendswood appoint Sawyer Blackburn and also appoint a new Director to the Board of Directors of the West Ranch Management District, to terms ending June 1, 2023.

Please indicate your approval of this appointment by signing below, or by other official action, and return one original to the District, at the address above.

Should you have any questions, please do not hesitate to contact Timothy Austin of Allen Boone Humphries Robinson LLP, the District's attorney, at (713) 860-6412.

Sincerely,

Brian Gibson/FS

President, Board of Directors

The Honorable Mike Foreman
and City Council Members
Page 2 of 2

cc: Ms. Melinda Welsh, City Secretary

APPROVED:

The Honorable Mike Foreman
City of Friendswood



BE A FRIENDSWOOD VOLUNTEER

It is the desire and intent of City Council to encourage and support citizen participation in an advisory capacity governing the affairs of the City. Service through membership on a board, commission, or committee is a valued, important opportunity for participation in an advisory capacity. To these ends, a policy has been adopted that sets out an orderly process for citizens interested in serving as members of a City board, commission, or committee and for the City Council to oversee appointments.

THIS INFORMATION WILL BECOME PUBLIC RECORD

VOLUNTEER APPLICATION

NAME: Meredith Die Levine HOME PHONE: _____
HOME ADDRESS: 1008 Bolivar Point Ln., Friendswood, TX 77546 WORK PHONE: 281-993-3732
EMAIL ADDRESS: meredith@levineandco.net CELL PHONE: 713-205-7075
OCCUPATION: Attorney and Real Estate Broker

SPECIAL INTERESTS AND TALENTS: Please see attached volunteer resume.

Are you currently serving as a member of any Friendswood governmental body? Yes

If so, please name the body: Citizens Advisory Team, Finance Committee

AREAS OF INTEREST

Please indicate your primary and secondary interests.

GENERAL ADMINISTRATION

☐ ELECTION WORKER

PLANNING & PRESERVATION

- ☐ PLANNING & ZONING COMMISSION
- ☐ ZONING BOARD OF ADJUSTMENT & APPEALS
- ☐ KEEP FRIENDSWOOD BEAUTIFUL COMMITTEE
- ☐ COMMUNITY & ECONOMIC DEVELOPMENT
- ☐ CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS
- ☐ INVESTMENT COMMITTEE
- ☐ FRIENDSWOOD DOWNTOWN ECONOMIC DEVELOPMENT CORPORATION

I AM AVAILABLE FOR

- ☐ LONG-TERM PROJECTS
- ☐ SHORT-TERM PROJECTS
- ☐ DAYTIME
- ☐ EVENING
- ☐ SUMMER

RECREATION

- ☐ 4TH OF JULY STEERING COMMITTEE
- ☐ 4TH OF JULY VOLUNTEER
- ☐ SENIOR CITIZENS ADVISORY COMMITTEE

EDUCATION

- ☐ LIBRARY BOARD
- ☐ LIBRARY VOLUNTEER

SPECIAL COMMITTEES AS CALLED

OTHER

- ☒ WEST RANCH MANAGEMENT DISTRICT
- ☐ ANIMAL SHELTER ADVISORY COMMITTEE
- ☐ VOLUNTEER FIRE DEPT/EMS
- ☐ CHARTER REVIEW (AS NEEDED)

Please use the space below for additional comments.

Along with my husband and three children, I live in West Ranch. It is my hope that my
background in law and real estate would serve me well as a member of the West Ranch
Management District Board. I have some previous Board experience; I served for six years
on the Board of the Houston Bar Association's Houston Volunteer Lawyers, as well as on the Board
of Ascension Episcopal School in Briargrove Park. I also have some arts- and nonprofit-
related Board experience, and currently serve on the Board of the Friendswood Rotary Club,

These questions are asked because the City Council wants to maintain balance to insure proper representation on boards and commissions.

DATE OF BIRTH: 5/29/1977

SEX: F

FRIENDSWOOD RESIDENT FOR 5.5 YEARS

Have you been convicted of a crime, other than minor traffic violations in the past 10 years? No.

What experience do you have that may qualify you for service on a particular board or commission (i.e. license, degrees, and certificates)?

J.D., University of Texas School of Law (2002)
B.A. Yale University (French, 1999)
Texas Real Estate Brokers License 610518
Texas Bar Number 24036479 (licensed on 11/6/2002)

Please list any civic or community endeavors in which you have been involved: Please see attached
volunteer resume.

I hereby affirm the information provided herein is true and correct, to the best of my knowledge. I am aware a background check may be required.

I understand that the information provided on this application may be available to the public upon request and will be kept on file for at least three years.

Murdell D. Levine
Signature of Applicant

4/3/2019
Date

Thank you for taking the time to complete this application.

Please return the original application to the address below:

MELINDA WELSH
CITY SECRETARY
CITY OF FRIENDSWOOD
910 S. FRIENDSWOOD DRIVE
FRIENDSWOOD, TX 77546-4856
(281) 996-3270
FAX (281) 482-1634

CITY OF FRIENDSWOOD

BOARDS AND COMMISSIONS

INFORMATION STATEMENT AND APPLICATION

If you have ever been a member of a Friendswood Board, Committee or Commission before, please indicate the Board, Committee or Commission and appropriate dates of service.

Name of Board, Committee or Commission:

Dates of Service:

Citizens Advisory Team, Finance Committee

March 2019 -- present

PERSONAL REFERENCES:

Please list at least two references.

NAME: Rev. Mike Stone

ADDRESS: 18300 Upper Bay Rd., Nassau Bay, TX 77

PHONE: 404-273-1488

NAME: Jessica Breitbeil

ADDRESS: 3626 Pittsburg, Houston, TX 77005

PHONE: 713-205-1683

MEREDITH DIE LEVINE

1008 BOLIVAR POINT LANE
FRIENDSWOOD, TEXAS 77546

TELEPHONE: (713) 205-7075

EMAIL: meredith@levineandco.net

RELEVANT VOLUNTEER EXPERIENCE

Friendswood Rotary Club

Board of Directors, 2018-2019

Member, 2016-present

- Rotary Regatta Committee (Underwriting Co-Chair 2018)
- Reverse Draw Committee (Underwriting Chair 2019; Prize Committee Co-Chair 2018)

Houston Bar Association's Houston Volunteer Lawyers, Inc., Houston, TX

Board of Directors, May 2008 – May 2014

- Chair, P.R./Volunteerism Committee, June 2011 – May 2014; member 2008 – 2014
- Chair, Facilities Committee, June 2010 – May 2011
- Responsible for lease- and facilities-related analysis and board recommendations following fire that destroyed two leased floors in the JP Morgan Chase high-rise office building
- Prepared grant application resulting in \$23,143 award from the Texas Bar Foundation to upgrade telephone system
- Piloted successful joint venture with the Texas Medical Center and Palmer Memorial Episcopal Church providing free quarterly legal advice clinics to low-income employees of the Texas Medical Center

Ascension Episcopal School, Houston, TX

Board of Directors, 2012 – 2013

Harvard Elementary School, Houston, TX

Principal's Shared Decision-Making Committee, Community Representative, 2011 – 2013

Houston Association of Realtors, Houston, TX

Governmental Affairs Advisory Group, 2012 Appointee

EMPLOYMENT EXPERIENCE

Levine & Co. Real Estate Brokerage LLC, Friendswood, TX

Managing Broker and In-House Counsel, October 2015 – present

Cornell Real Estate Group, LLC, Houston, TX

Realtor (2011-2015) / Broker Associate (2015)

Howrey LLP, Houston, Texas

(Clements, O'Neill, Pierce, Wilson & Fulkerson, L.L.P. prior to January 2005 merger)

Senior Associate, Global Litigation Group, 2007-May 2009

Associate, Global Litigation Group, September 2002-2007

- Litigated and negotiated large, multi-party toxic torts, patent infringement cases, consumer class actions, and complex oil & gas disputes
- Collaborated with engineers, medical doctors, accountants, and other professionals to develop successful case strategies and prepare dispositive motions

EDUCATION

The University of Texas at Austin, Austin, Texas

J.D., May 2002; GPA 3.15

Yale University, New Haven, Connecticut

B.A., French, 1999; GPA 3.58

Special Skills: fluent in French; conversational Spanish and Italian

Other Interests: Founding Coordinator of Friendswood Mothers of Preschoolers (MOPS) 2014-2016; Ministry Coach for MOPS International (South Texas) 2016-2018; Cub Scout Den Leader (Pack 1965) 2018-present; St. Thomas PTO Executive Committee member 2017-2018; St. Thomas School Gala Co-Chair 2019; Mom to John (10), Ainsley (7), and Hollin (4).



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Prepared by: Mayor Foreman

Date Submitted: April 23, 2019

Subject: Bay Area Houston Economic Partnership (BAHEP)

Originating Department: Mayor and Council

Proceeding: Discussion and Possible Action

Degree of importance: Critical ☐ Significant ☒ Elective ☐

SUMMARY / ORIGINATING CAUSE

It has been a couple of years since the City withdrew its membership from BAHEP. At the time, the decision was based off of a return on the City's investment with the Partnership in increased economic investments within the community.

BAHEP is so much more than an economic development organization and cannot be evaluated on its direct impact to Friendswood. Rather, it should be assessed on its impact to the region - of which Friendswood benefits.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Being a member of BAHEP furthers the region's standing both at the state level as well as the federal level. As an ancillary benefit, Friendswood is benefited when the entire Bay Area region is vibrant economically.

ASSOCIATED COSTS/FUNDING SOURCE

The cost to rejoin BAHEP is \$14,000.

ATTACHMENTS

None



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: 05/06/19

Date Submitted: 04/23/19

Dept. Clearances: Melinda Welsh

Prepared by: Michelle Perez

Subject: Termination of joint agreement with Galveston County Consolidated Drainage District for Election Services

Originating Department: City Secretary's Office City Attorney Review: Yes

Proceeding: Discussion and possible action

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: N/A

Amount Budgeted: N/A

Appropriation Required: N/A

Source of Funds: N/A

FINANCE APPROVAL: N/A

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

A Joint Agreement for Election Services was entered into between the City of Friendswood and Galveston County Consolidated Drainage District (GCCDD) on February 3, 2014, to jointly hold GCCDD elections during the city's May election period.

The City of Friendswood has entered into an election services agreement with Galveston County to conduct the City's elections for both Galveston and Harris County voters. Since the City of Friendswood can no longer provide election services identified in the agreement, the City must terminate the agreement with GCCDD.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

RECOMMENDATIONS

Staff recommends approval of termination pursuant to the ninety (90) days advance written notice. This agreement shall terminate on August 4, 2019.

ATTACHMENTS

[Notice of Termination](#)
[GCCDD Joint Agreement for Election Services](#)

WRITTEN NOTICE OF TERMINATION OF JOINT AGREEMENT FOR ELECTION SERVICES

On May 6, 2019, the City Council of the City of Friendswood, Texas authorized the Mayor to provide written notice to Galveston County Consolidated Drainage District (GCCDD), advising GCCDD of the City's notice to terminate the Joint Agreement for Election Services.

Pursuant to the terms of the Joint Agreement for Election Services entered into between the City of Friendswood and Galveston County Consolidated Drainage District on February 3, 2014, the City of Friendswood hereby provides Galveston County Consolidated Drainage District ninety (90) days advance written notice to terminate this Agreement.

The City of Friendswood will no longer conduct City election services and it has entered into an Agreement with Galveston County, Texas, to conduct the City's elections. Since the City of Friendswood can no longer provide the election services identified in the prior agreement, the City must terminate the Agreement.

Pursuant to the ninety (90) days advance written notice, this Agreement shall terminate on August 4, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary

www.ww

This joint agreement hereby supersedes and replaces the original agreement adopted February 18, 2008, and is made and entered into by and between the Galveston County Consolidated Drainage District (GCCDD) and City of Friendswood, Texas (CITY).

WHEREAS, said GCCDD and City pursuant to the provisions of Subchapter D, Section 31.091 of the Texas Election Code, have determined that it is to be in the best interest of GCCDD and the citizens of Friendswood, thereof, that provisions be made and agreed upon to provide a joint election for the purpose of Early Voting, Election Day Voting, and tabulation services, that provides for conducting the election using the electronic voting system of eSlates and using optical scan paper ballots for Early Voting by methods other than by personal appearance and provide necessary staffing.

NOW, THEREFORE, GCCDD AND CITY AGREE AS FOLLOWS:

1. CITY agrees to conduct a joint election with GCCDD upon official request by GCCDD. Any joint election provided for in this Agreement shall be held at the polling places designated by the City Council, for GCCDD elections, within the relevant precincts as established by Galveston County Commissioners Court.
2. CITY will provide for staffing for the conduct of Early Voting to be held at City Hall and provide for the appointment of all election workers for Election Day.
3. CITY shall appoint a presiding judge of the Central Counting Station.
4. CITY shall have the program and test materials prepared for election equipment use and tabulation of ballots.
5. CITY shall be responsible for the holding of all public tests of the voting equipment.
6. GCCDD in consideration for the full coordination of such work through the City Secretary hereby agrees and binds itself to fees (more specifically defined in Paragraph 7, below) for Early Voting, Election Day Voting, tabulating services, providing for a police officer, two (2) tabulation personnel, two (2) clerks, and City Secretary as consultant/manager of the Central Counting Station.
7. It is agreed and understood by GCCDD and City that payment of \$1,600 per election is to be paid to the City within twenty (20) days from the date of the election. In the event that GCCDD does not call an election, the fee of \$1,600 will not be required nor requested.
8. It is agreed and understood by GCCDD and City that fees paid to the City for said election are to be placed in a separate account from City election expense and shall be subject to expenditure by City to defray the costs of carrying out this agreement.

9. The term of this Agreement shall be for five (5) years, commencing on the date of adoption of said agreement. After the end of five (5) years, this Agreement shall be automatically extended annually unless either party hereto notifies the other of non-renewal not less than ninety (90) days prior to the adoption date. Provided, either party to this Agreement shall be entitled to terminate same upon ninety (90) days advance written notice thereof.
10. GCCDD will provide a representative at the Central Counting Station on election night to receive the unofficial tabulation of said election.
11. GCCDD agrees that CITY shall not be responsible for the wording of the ballot language provided by GCCDD. CITY shall not be responsible for canvassing the returns of the election on behalf of GCCDD.
12. CITY shall have the obligation to conduct a joint election only when there is a CITY election. The CITY is under no obligation to conduct an election on behalf of GCCDD where there is no CITY election or the CITY election is cancelled. However, nothing herein shall preclude the CITY and GCCDD from negotiating the terms under which the CITY may choose to hold such election on behalf of GCCDD, provided the CITY is reimbursed the actual cost of the election.
13. Any expenditure made pursuant to this Agreement by either party hereto shall be from current revenues.

The adoption of this Agreement between GCCDD and City of Friendswood, Texas shall be the 3rd day of February 2014.

CITY OF FRIENDSWOOD

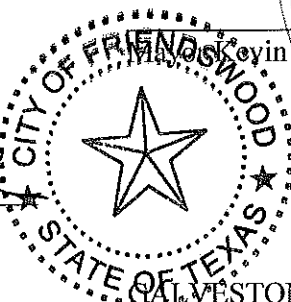


Kevin M. Holland

ATTEST:



Melinda Welsh, TRMC
City Secretary



GALVESTON COUNTY CONSOLIDATED
DRAINAGE DISTRICT



Harold Whitaker, President

ATTEST:



Rhonda Sykes, Administrative Manager



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 23, 2019

Dept. Clearances: Morad Kabiri

Prepared by: Morad Kabiri

Subject: Drainage Subcommittee Recommendations

Originating Department: City Manager's Office

City Attorney Review: mkf

Proceeding: Discussion and Possible Action

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: * Amount Budgeted: N/A

Appropriation Required: N/A Source of Funds: N/A

FINANCE APPROVAL: RGB

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Over the last several months, the Drainage Subcommittee has met to study flooding issues that have plagued Friendswood during extreme, multi-day, rain events since 1979. As their efforts come to close and State and Federal funding become available, the need for matching dollars and a local commitment is increasingly present.

April 1st, Council heard the presentation of the Subcommittee enumerating several observations and recommendations. Two of those recommendations are before Council this evening: (1) authorize the hiring of a Watershed Coordinator position; and (2) recommending an update to the City's Design Criteria Manual bolstering the rainfall intensity curves by adopting NOAA's Atlas 14 values. The latter will require greater amount of detention and mitigation for new developments.

* With respect to the Watershed Coordinator position, a sample job description has been attached hereto for reference purposes. There is sufficient demand for the City to employ two full-time engineers to oversee capital projects, development/plan reviews, and drainage/regional interplay. One of the two engineer positions is to fill the City Engineer vacancy.

Funding for the second engineering role, should include more than simply salary and benefits. Additional dollars will be needed to maintain the drainage model developed by Rice University. Until such time an individual to fill this role has been identified, the full freight the job and budget cannot be finalized. Staff anticipates the cost of this role and budget - - to hire consultants and maintain the drainage model - - to be around \$200K annually.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Failure to have an individual advocate on behalf of Friendswood for much needed drainage projects could result in further vulnerability in future storms.

RECOMMENDATIONS

Staff recommends authorizing: (1) the creation of an additional engineering position, inclusive of an associated budget for expenditures; and (2) updating the City's Design Criteria Manual to adopt Atlas 14 values.

ATTACHMENTS

[Drainage Subcommittee – Final Presentation](#)
[Watershed Coordinator Job Description](#)
[Precipitation Frequency Data - NOAA Atlas 14](#)

Friendswood Drainage Sub-Committee

Observations, Conclusions, and Recommendations to Friendswood City
Council April 1, 2019

One Recommendation to Solve Flooding in Friendswood



And....we are done! April Fools!

Drainage Sub-Committee

• <i>Chartered by Friendswood City Council June, 2018 - ad hoc team</i>	• <i>Formed and started meeting June 28, 2018</i>
• <i>Has met 35 times since then...over 500 of hours of work</i>	• <i>Team Members....</i>

Person	Role	Person	Role
Assigned Members			
James Stahl	Community Representative	Lee Coggins	Community Representative
Ron Lovely	Community Representative	Kenny Koncaba	Community Representative
Gary Harris	Gal. County Cons. Drainage District	Marcus Rives	Gal. Co. Cons. Drainage District
Ken Clark	Galveston County Commissioner	Carl Gustafson	Friendswood City Council
Morad Kabiri	Friendswood City Manager	Steve Rockey	Friendswood City Council – Chair
Myron Jones	Harris County Flood Control District	Lance Gillian	Harris County – Rodney Ellis Office
Ad Hoc Members			
Dawn McDonald	State Rep. Dennis Paul's Office	Jed Webb	US Congressman Randy Weber's Office
Jackie King	State Senator Larry Taylor's Office	Fay Picard	State Rep Dr. Greg Bonnen's Office
Melissa Washington	Texas General Land Office	Shakhar Misir	US Army Corps of Engineers

Presenting Tonight

- Team members James Stahl and Lee Coggins.....however the presentation was developed by the whole team.
- We have been following a process and have already presented our problem statement, a significant portion of the data, and analysis.
- Tonight we have some analysis to present. We will also be presenting our Observations/Conclusions and we will present recommendations.
- **AND....there are no formulas to learn tonight!!**

Harvey Damage Data

- After Harvey, City Public Works staff visited all damaged buildings and homes and from the outside estimated the level of flooding.
- Did not enter houses, they just measured from the water marks on the outside of the house above the slab level.
- We believe this data to be accurate within a few inches in either direction.

Flooded by Type

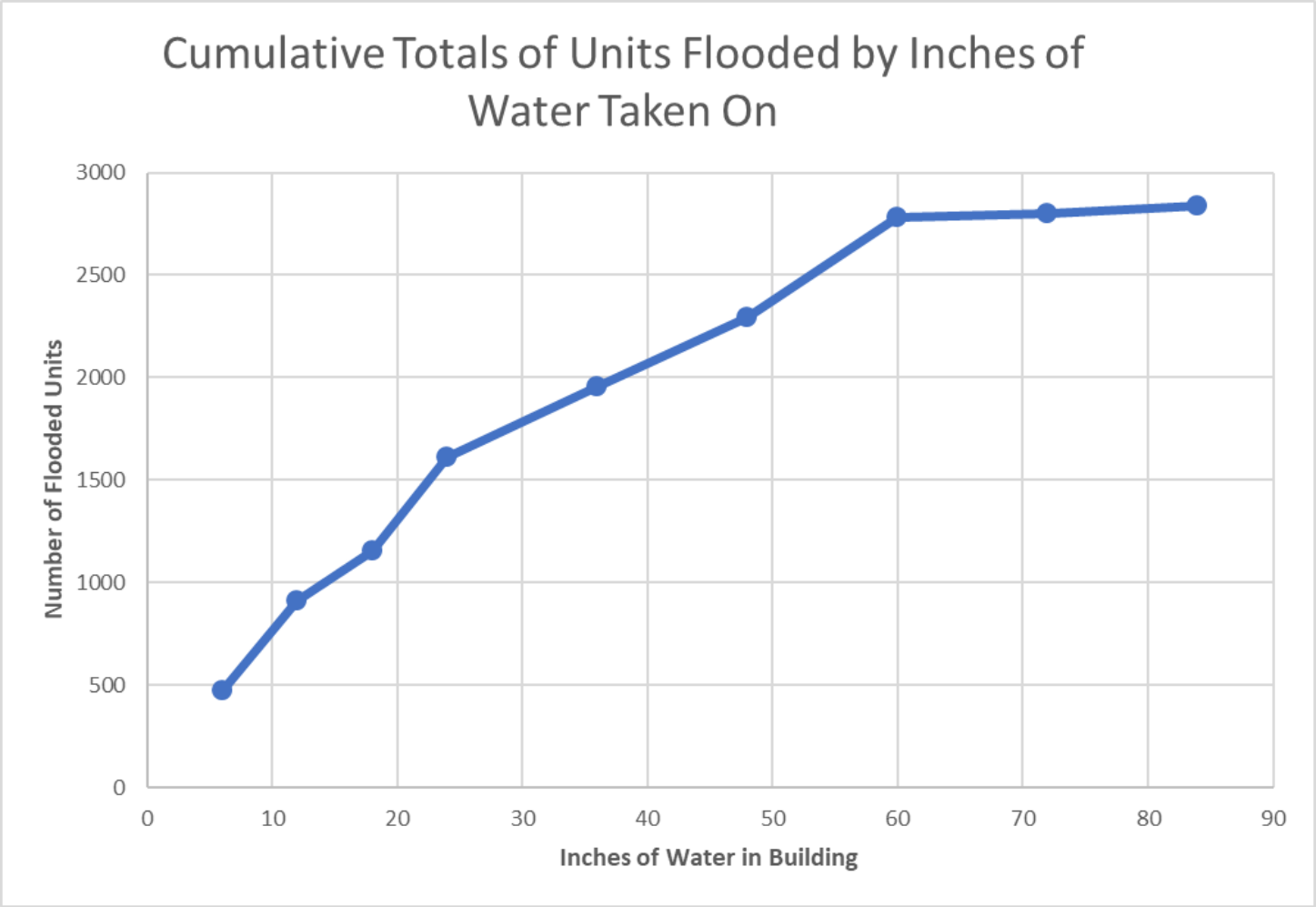
Damage Assessment	# Units Damaged	% of Units Damaged
Mobile Home	2	0%
Commercial	67	2%
Multi-Family	359	13%
Single Family Residential	2410	85%
Grand Total	2838	

Flooded by Damage Assessment

Damage Assessment	# Units Damaged	% of Units Damaged
AFFECTED	472	17%
MINOR	941	33%
MAJOR	1075	38%
DESTROYED	350	12%
Grand Total	2838	

Elevation of Flooding in Housing For Harvey

Unit Flooding Level	Galveston # of Units	Harris # of Units	TOTAL # of Units
Zero to 6 Inches	281	193	474
7 to 12 Inches	198	242	440
13 to 18 Inches	174	67	241
19 to 24 Inches	116	343	459
25 to 36 Inches	171	173	344
37 to 48 Inches	90	246	336
49 to 60 Inches	176	313	489
60 to 72 Inches	7	13	20
Above 72 Inches	33	2	35
Grand Total	1246	1592	2838



Modeling the Creek by Rice University

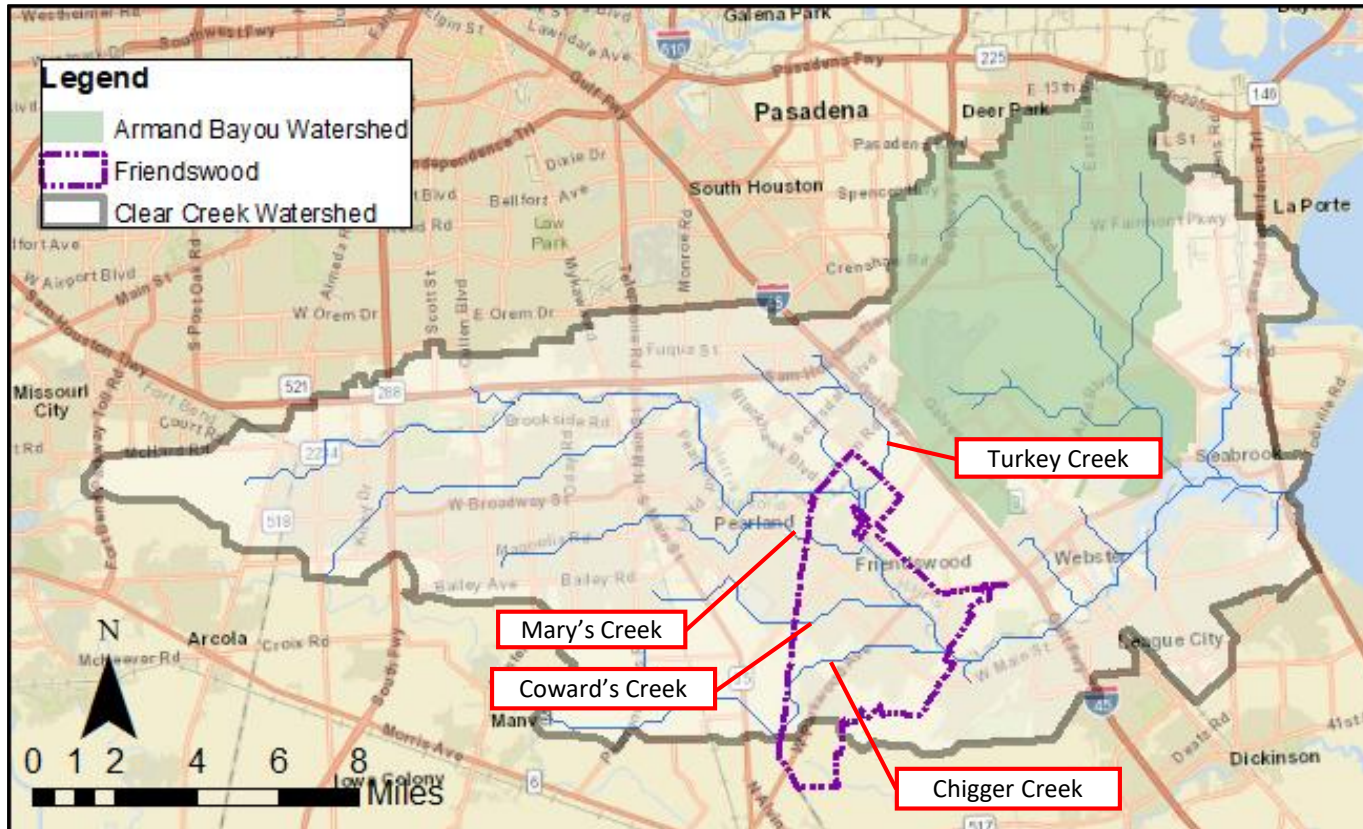
- Recall that we hired Dr. Bedient and his team from Rice University to model Clear Creek in Friendswood.
- His team has reported back with their model and they measured the effects of various proposed projects.
- We intend to keep the relationship with Dr. Bedient's work and have future items modeled.

Dr. Philip B. Bedient is the Herman Brown Professor of Engineering in **Civil and Environmental Engineering** at **Rice University**. He teaches and performs research in surface water hydrology and



flood prediction systems, and radar based flood alert. He has directed 60 research projects over the past 35 years, has written over 180 articles in journals and conference proceedings. He has worked on hydrologic problems including major floodplain studies, water quality assessments, and hydrologic modeling for a number of watersheds in Texas, Florida, and Louisiana. He has been actively involved in the area of hydrologic analysis for flood prediction and warning, and has developed a real-time flood alert system for the Texas Medical Center, based on the use of NEXRAD radar data. Dr. Bedient directs the **SSPEED Center** at Rice for Severe Storm Prediction, consisting of several universities in the Gulf Coast area, which has funding to address the impacts of Hurricane Ike in the Houston area. Both storm surge prediction, inland flooding, and long-term mitigation strategies are being studied with funding from the Houston Endowment. Dr. Bedient also is evaluating low impact development schemes with funding from the City of Houston.

Dr. Bedient's Work - Background of Study Area



Overall Study Area & Modeling Domain

- Clear Creek Watershed
- Armand Bayou Watershed

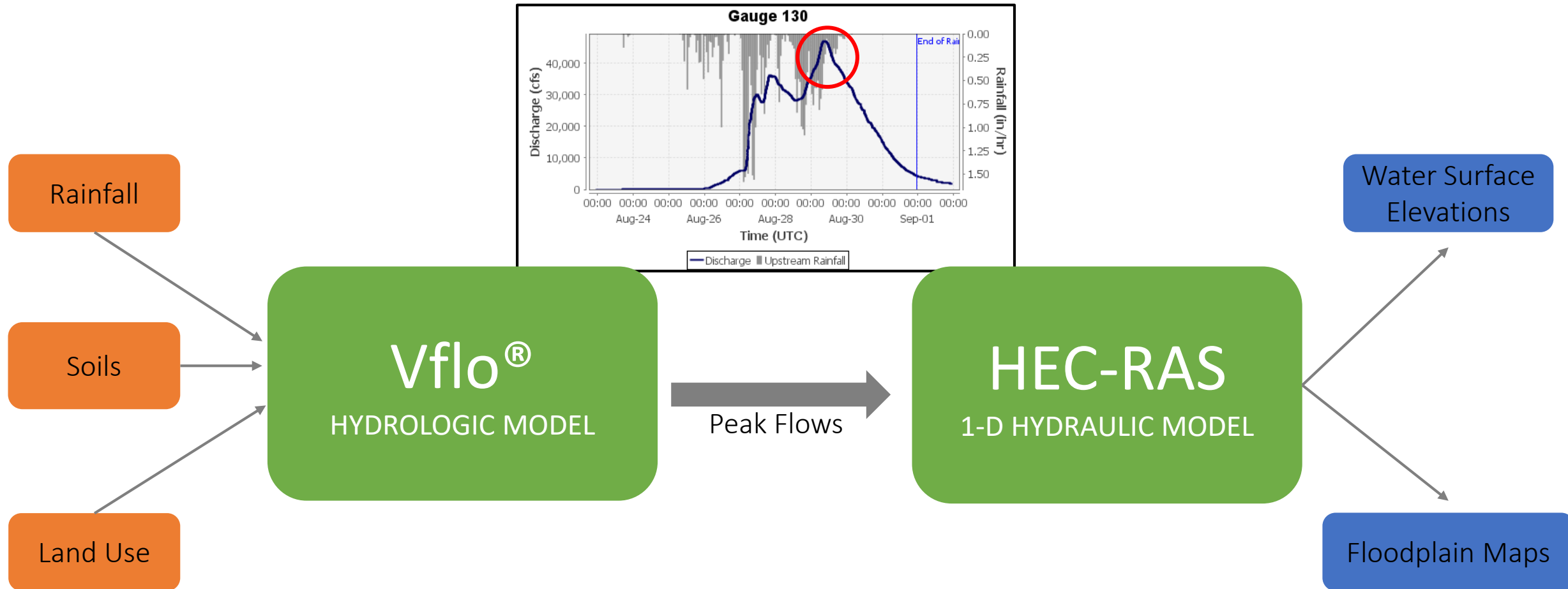
Study Focus: City of Friendswood

- Primarily residential and commercial development
- Flood drivers:
 - Low slopes
 - High imperviousness
 - Proximity to coast

What Was Evaluated

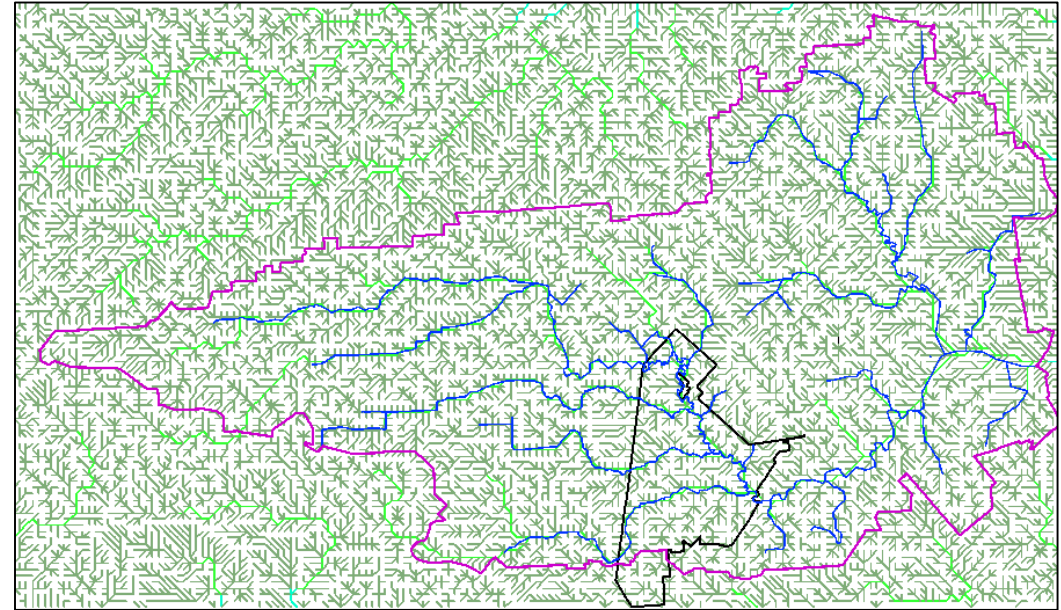
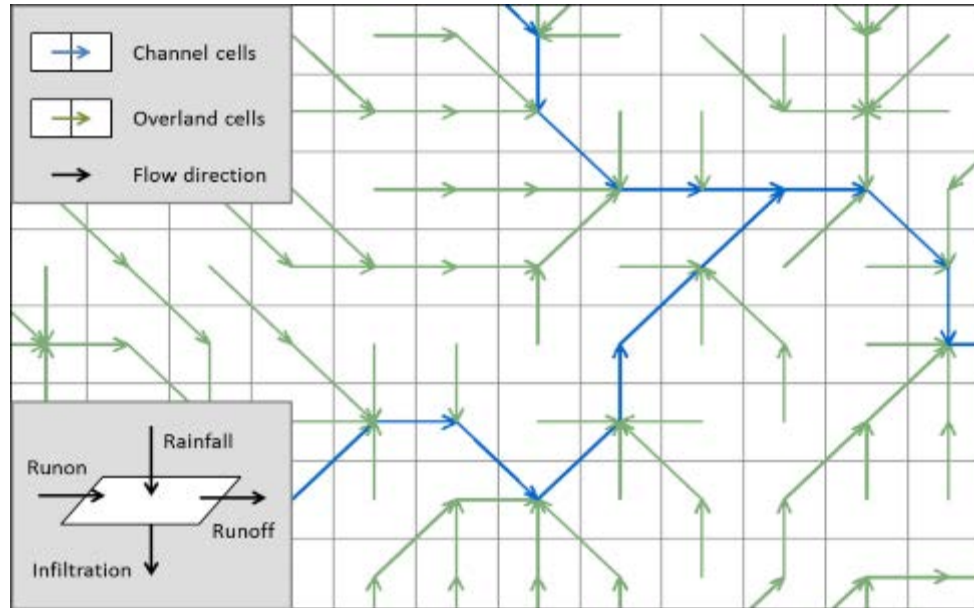
- Assess existing flood vulnerability with mathematical modeling.
- Validate the model against the observed flooding seen in Harvey.
- Explore a variety of mitigation scenarios:
 1. Bridge Raising
 2. De-snagging
 3. Channelization and Terracing
 4. Diversion at Outlet
 5. Proposed Detention Ponds
- Model multiple scenarios to determine best group

Modeling Framework



We do not intend to show all Dr. Bedient's data tonight however there is a 60 pages slide presentation that will be made public of his team's work and there will be a final report.

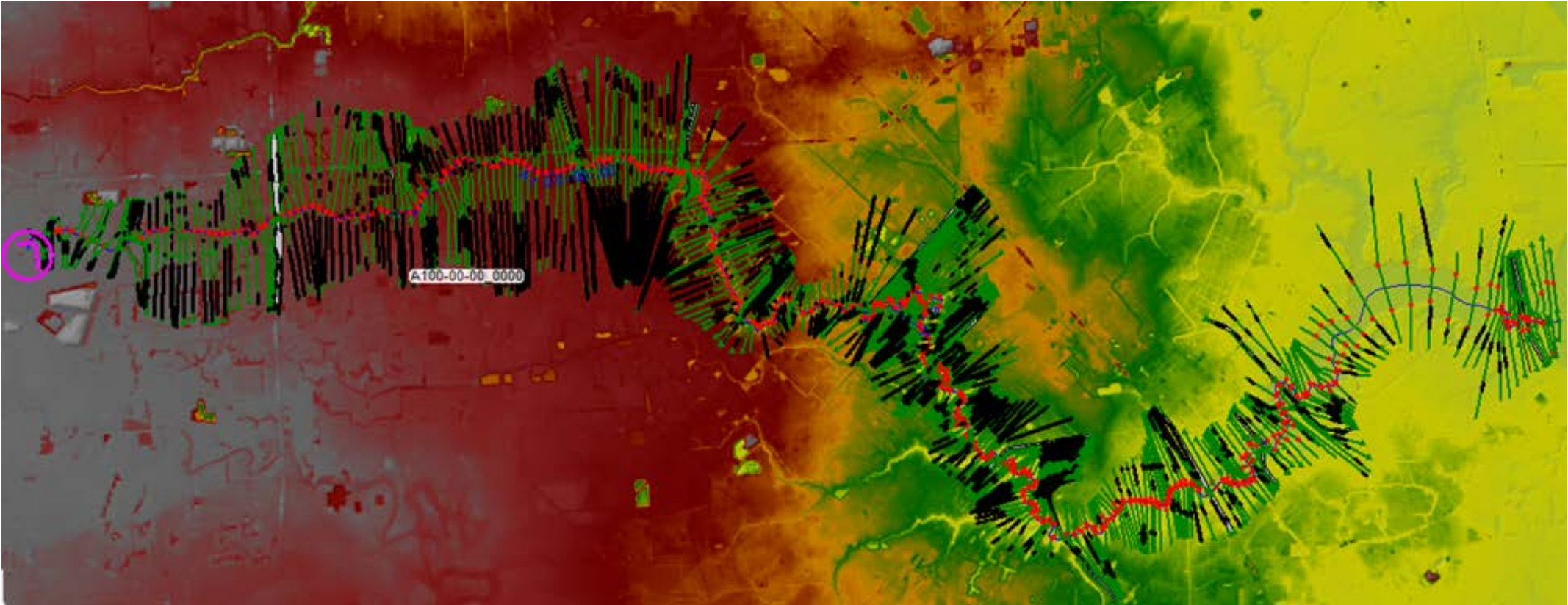
Distributed Hydrologic Model - Vflo®



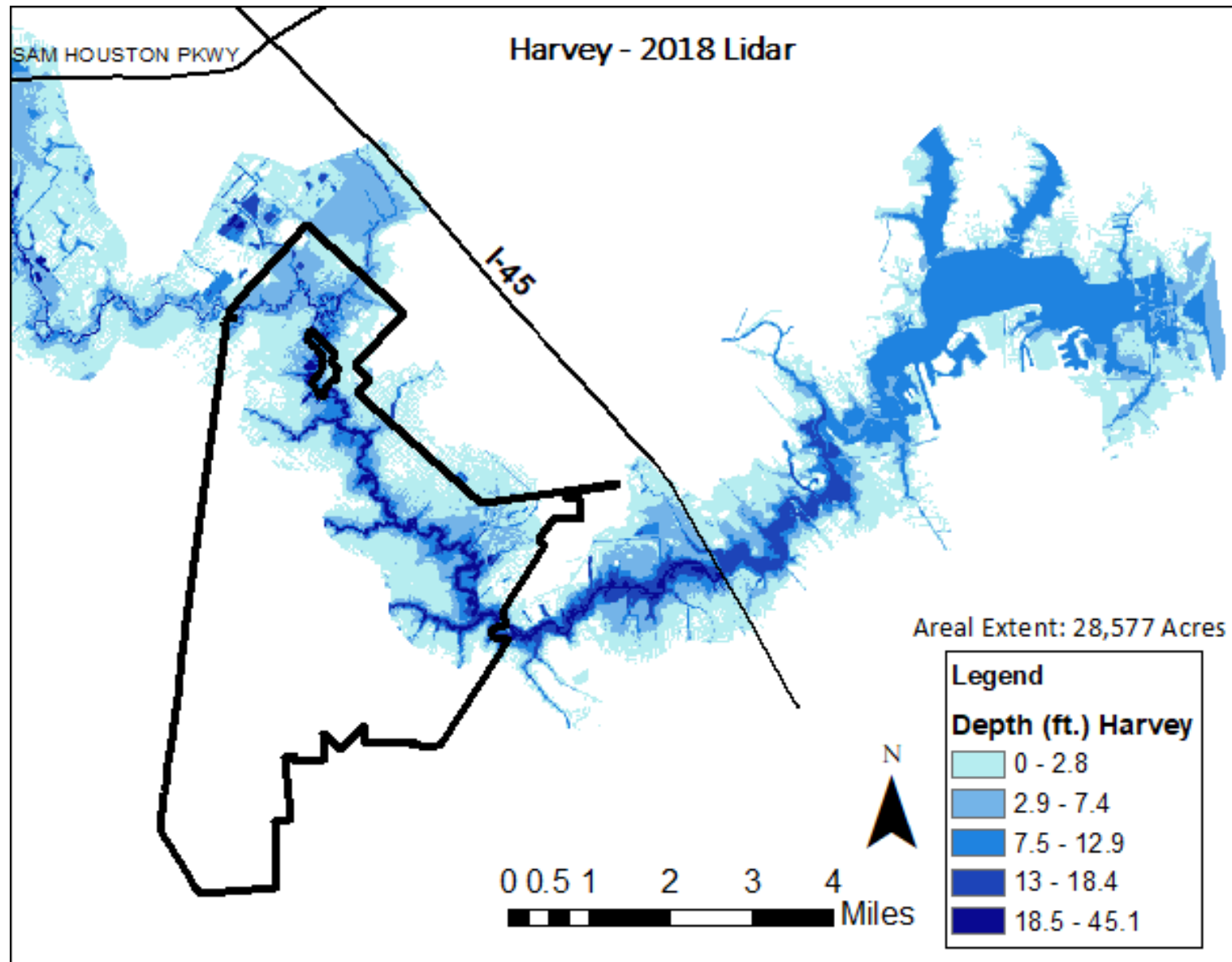
- Fully distributed physics-based hydrologic model developed by Vieux and Associates, Inc.
- Infiltration calculated by Green and Ampt Equation
- Uses Kinematic Wave to route runoff between overland grid cells and Modified Puls for channel cells
- Rainfall input can be rain gauge data or radar rainfall

Hydraulic Model – HEC-RAS

- Developed by the Hydrologic Engineering Center (HEC) of the US Army Corps of Engineers
- Used in various floodplain studies and dam breach analyses
- 1D steady-state is used as the basis for FEMA floodplains
- Existing model was obtained from HCFCD M3 system

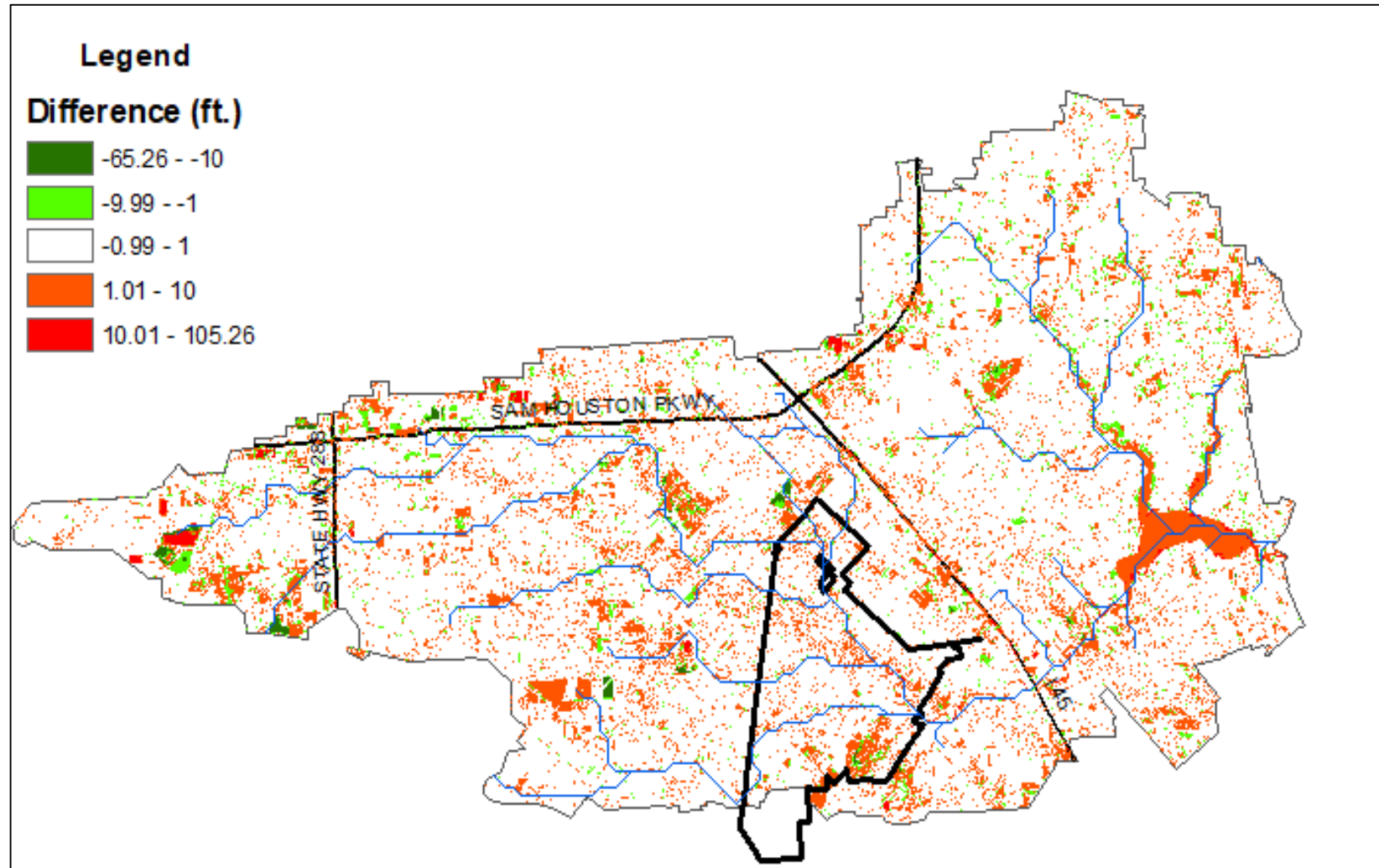


Additionally for Each Test Scenario Flood Plain Maps Can Be Predicted



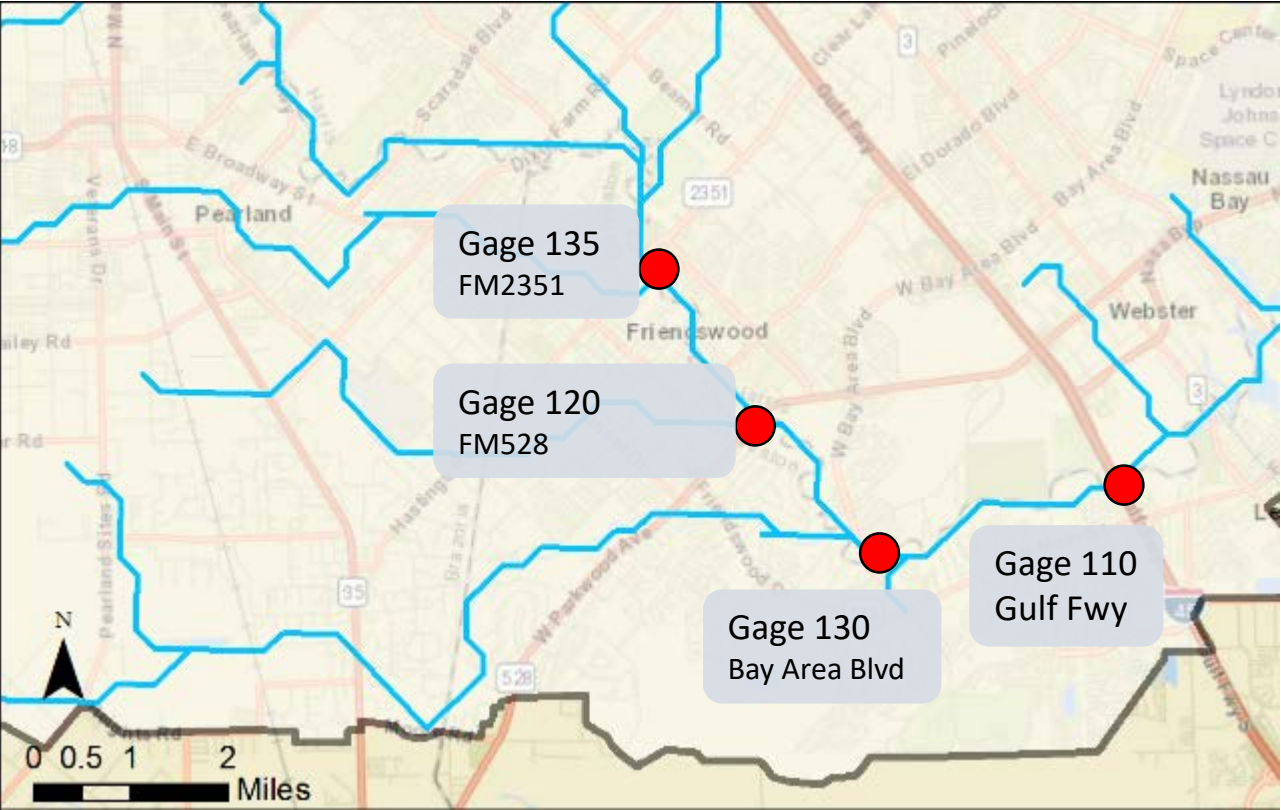
Changes in Land Use in Clear Creek Watershed Last Decade

This supports Team Observations and Recommendations Regarding Land Use, Permitting, and Watershed Changes



1. Changes in land use from 2008 to 2018 using LIDAR (Light Detection and Ranging).
2. Green shows decreases in surface elevation mostly from addition of detention ponds.
3. Orange and Red shows increases in land elevations due to land development.
4. White areas remain unchanged although some likely were changed earlier than 2008,

Model Validation – Peak Water Surface Elevation (WSEL) for Harvey

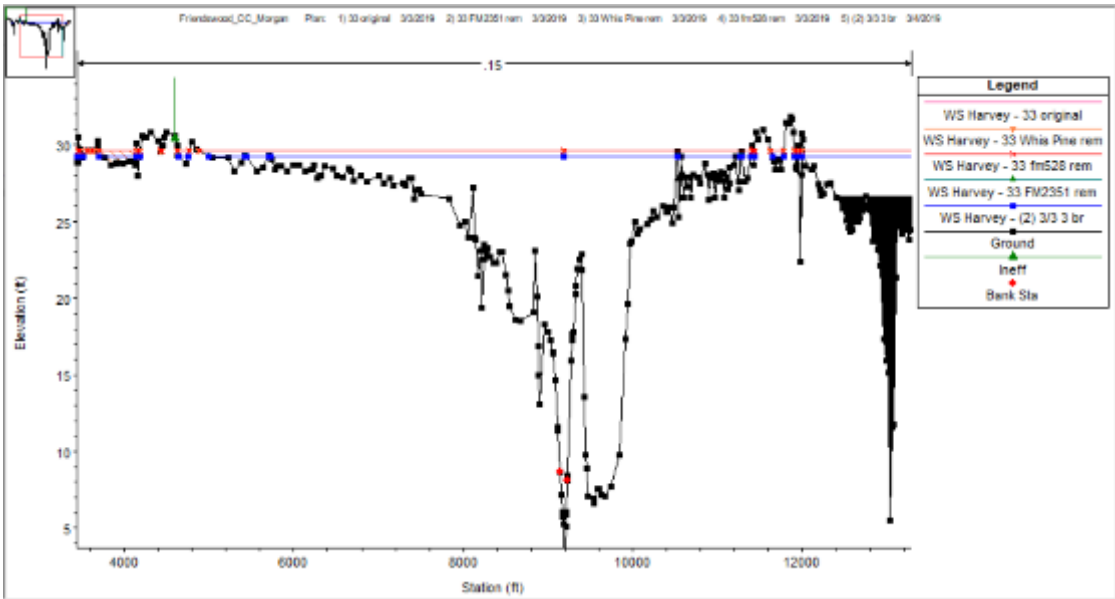
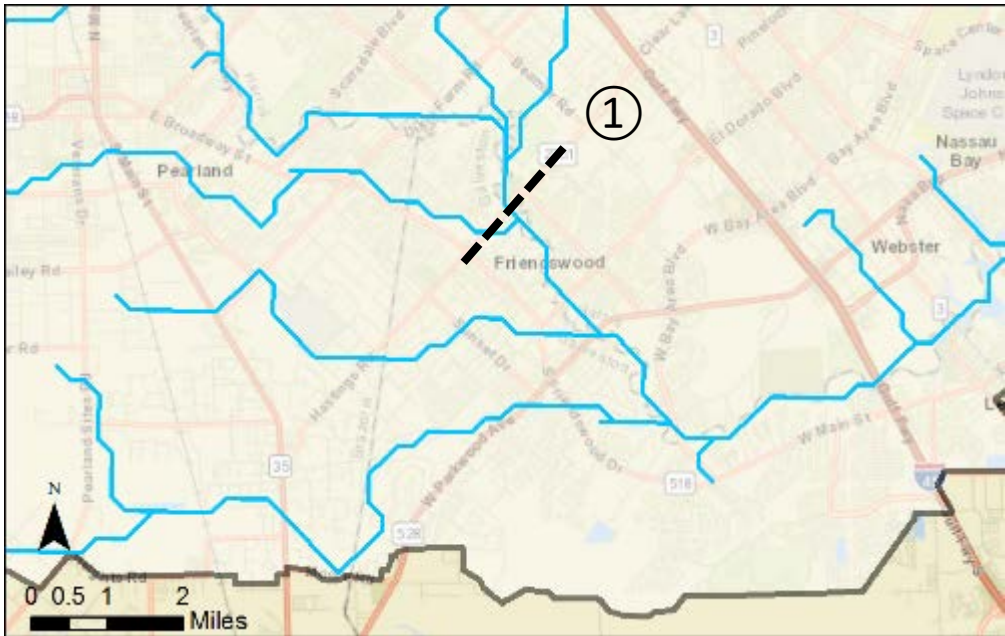


Measurement Location	Observed (HCFCF) WSEL	USGS High Water Mark	Modeled Peak WSEL	Difference
Gage 135	27.7	29.43	28.94	-0.46
Gage 120	24.2	-	24.50	0.30
Gage 130	21.1	-	21.35	0.69
Gage 110	16.6	-	16.48	0.04

*All listed values are in feet

Differences this close are considered outstanding in the field of flood modeling

An Example of the Output for Just One (Raising the FM 2351 Bridge)



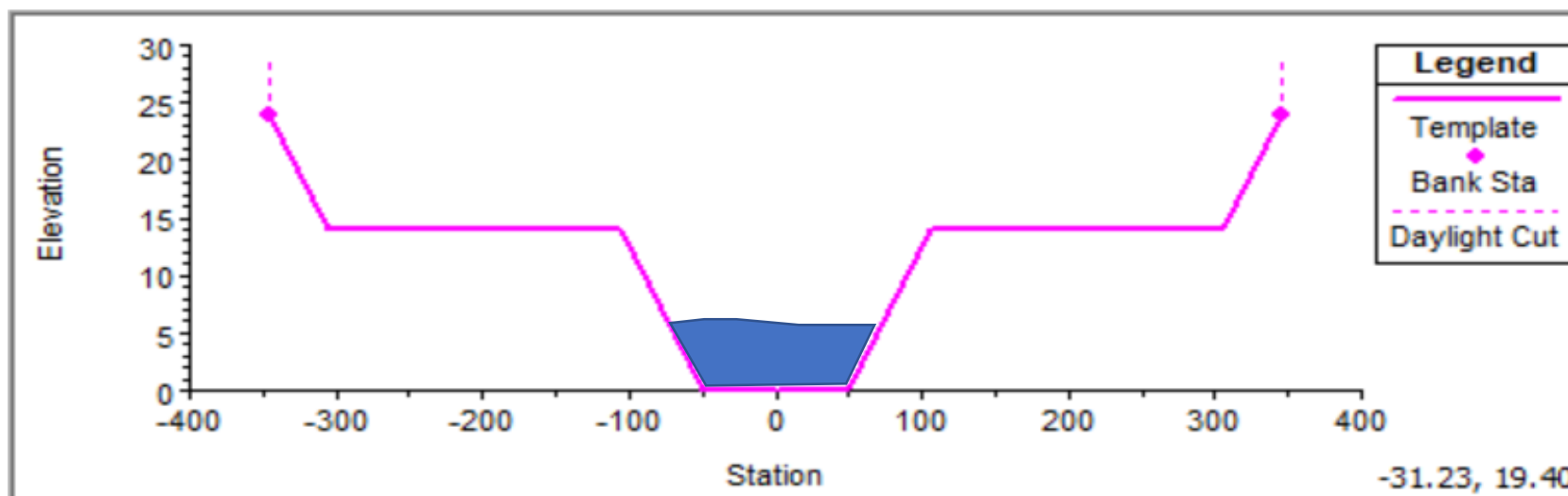
*Plot depicts upstream bridge raising scenario

In All Cases data was shown for the effect of the project for the historical 100 yr. storm, the new 100 year storm, and Harvey. Negative numbers indicate how much lower flooding would have been had the project been in place

Storm	Changes in Peak WSEL (ft)			
	FM 2351	Whispering Pines	FM 528	All 3 bridges
100 yr.	-1.69	-0.02	-0.04	-1.86
100 yr. (ATLAS 14)	-0.57	0	-0.01	-0.59
Harvey	-0.38	-0.01	-0.01	-0.38

Terracing - Method

- Based on the terracing design, extend a 200 ft terrace to both sides
- Channel meanders remain intact (i.e., no channel straightening)
- Grass terracing has a roughness coefficient of 0.04 on its terraces.



Bottom Width	Channel Depth	Side Slope (H:V)	Terracing Distance (each side)	Terracing Depth	Manning's n (channel)	Manning's n (grass terracing)
60 ft	14 ft	4	200 ft	10 ft	0.015	0.04

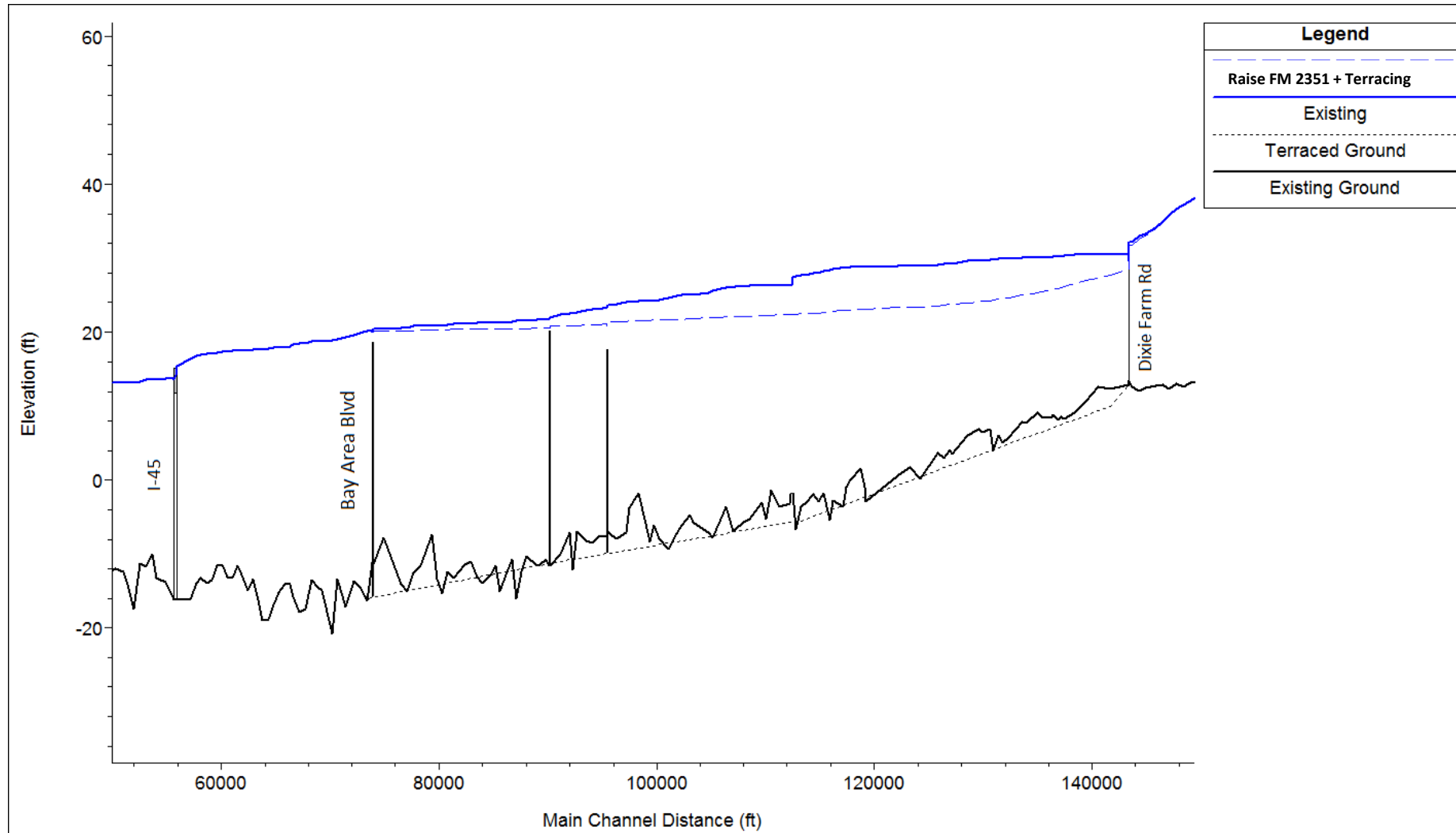
Summary of Scenario Individual Testing – Harvey

#	Watchpoint Location	Change in Peak WSEL (ft)					
		Three-Bridge Raising	Terracing	Bridge Rm + Terracing	De-Snag	50% Diversion	Detention
1	Upstream FM 2351 Bridge	-0.79	-3.78	-4.11	-0.86	-0.11	-0.03
2	Downstream FM 2351 Bridge	-0.09	-3.38	-3.37	-1.47	-0.15	-0.04
3	Upstream Whispering Pines Bridge	-0.20	-1.83	-1.83	-0.87	-0.38	-0.04
4	Downstream Whispering Pines Bridge	-0.19	-1.56	-1.56	-0.75	-0.47	-0.04
5	Upstream FM 528 Bridge	-0.19	-1.10	-1.10	-0.44	-0.74	-0.05
6	Downstream FM 528 Bridge	0.00	-0.90	-0.90	-0.37	-1.03	-0.06
7	Downstream Bay Area Blvd Bridge	0.00	-0.09	-0.09	0.00	-2.9	-0.09
8	Downstream I-45 Bridge	0.00	0.00	0.00	0.00	-3.62	-0.06
9	Clear Lake	0.00	0.00	0.00	0.00	-1.52	-0.04

Dr. Bedient's Team Calculated the Group of Projects That Would Have the Biggest Effect.

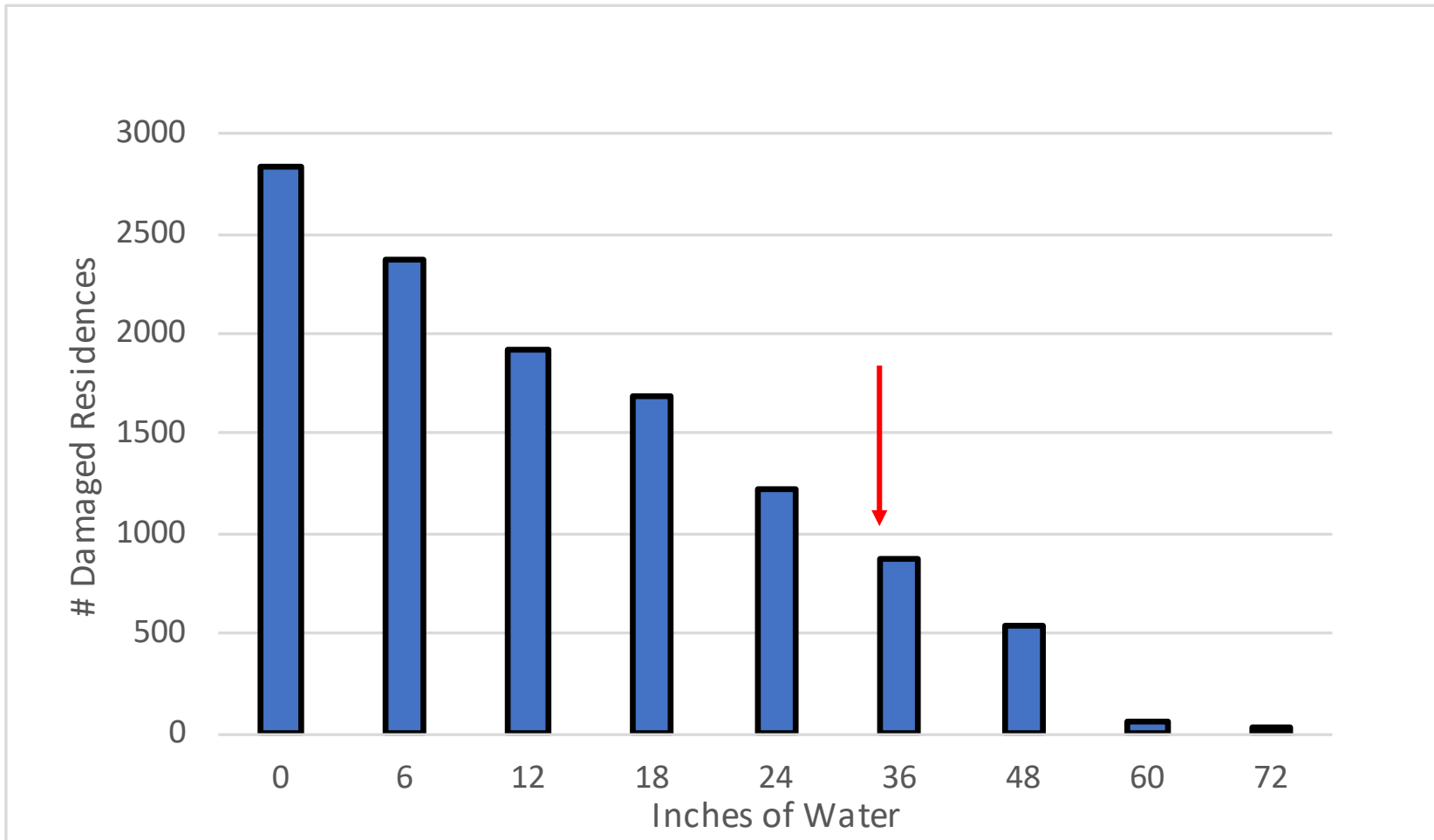
- ✓ You can't just add the numbers on the previous page because different projects interact with each other in both positive and negative ways
- ✓ It turns out that raising the FM 2351, de-snagging and terracing together have the greatest positive impact.
- ✓ Importantly those same projects don't negatively effect League City.
- ✓ Combination scenario decreases up to ~3.5 ft of water at Friendswood during Harvey.
 - The effect is more pronounced upstream of Whispering Pines and begins to diminish as you move down stream.
 - Land availability downstream of FM 528 is greater so increasing the terracing width there would likely increase the effect between FM 528 and Bay Area Blvd
 - Bedient's will model this in the future

Effect of Raising FM 2351 Bridge and Terracing on Harvey Flood Levels



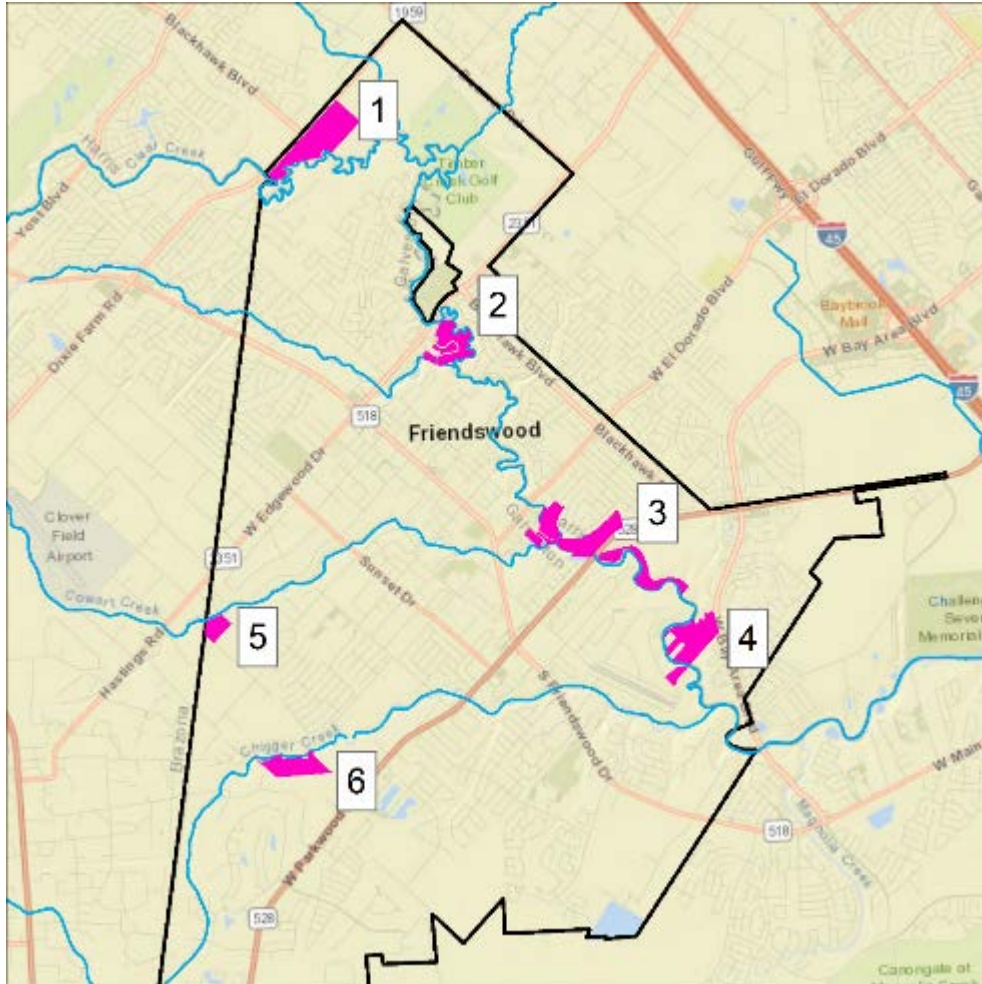
- As Noted increasing terracing width downstream of FM 528 will increase positive effect
- Current I45 Bridge was an issue in Harvey. The current work raises the Bridge and Feeder Bridges and should help water move out better

Reduction as Modeled through Friendswood Would Have the Following Effect



- Assuming Best Project Case was completed before Harvey.
- Using locations of where the houses flooded and possible reduction basis modelling.
- We would have seen 850 houses flood instead of 2830.
- And the houses that did flood
 - 250 of them would have gotten 6" of water or less
 - 550 of them would have gotten between 6" to 2 feet.
- **Please note further work can define this better almost to the house.**

We did Ask For Modeling of 6 Proposed Detention Ponds

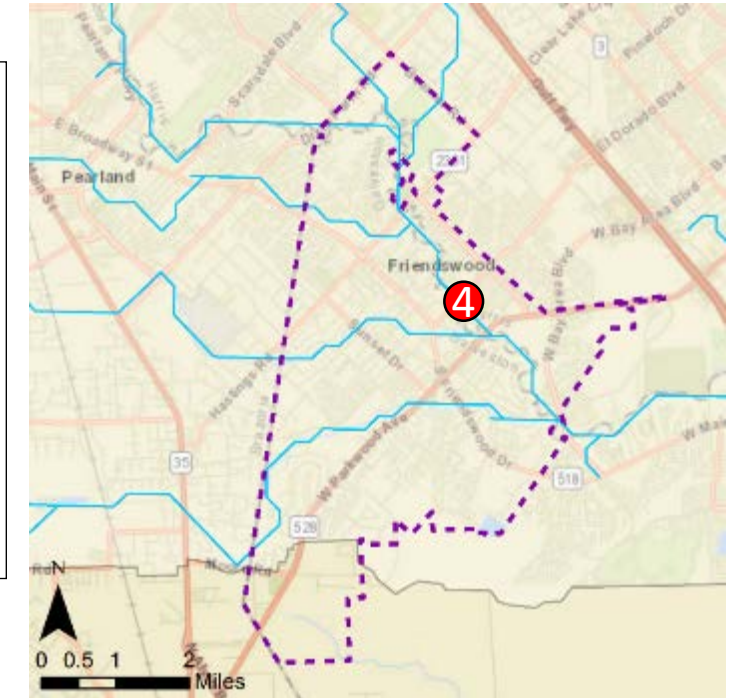
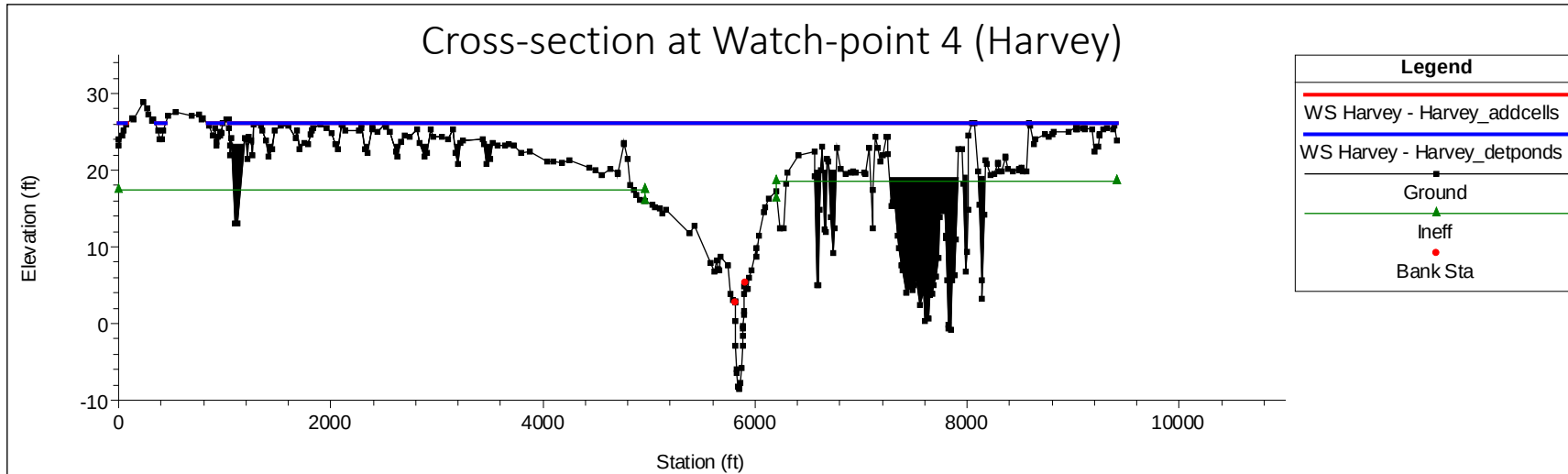


Six proposed ponds were modeled simultaneously in Vflo using GIS shapefiles provided.

Pond #	Designed Acreage
1	73.0
2	36.5
3	64.2
4	53.1
5	21.2
6	33.3

*When modeling, drainage areas into ponds were assumed to be about 3x the designed acreage.

As Example Detention Pond at Whispering Pines



Water Elevation Changes Due to Detention – 100 Yr. Storm

Location	WSEL change (ft)
FM 2351	-0.01
Whispering Pines	-0.02
FM 528	-0.05
Bay Area Blvd.	-0.14
I-45	-0.20
Clear Lake	-0.15

- Changes are minimal.
- In Harvey Storm even less held due to filling up early.
- To have an affect in Harvey would need a 4500 acre pond somewhere upstream.

Diversion

Modeled diverting water out of Clear Creek at Bay Area Bridge and finding another path to the Gulf other than going down and out Clear Lake.

- The positive effects occur mainly near and below the diversion point.
- Further modelling needed to better define
- Does require moving the water across other watersheds
- Significant land acquisition needed, little of this actually in Friendswood.
- Project cost would exceed \$300M and would have to be done by USACE.
- Friendswood's portion of cost would be less than 5%.
- Other cities and agencies would control this.
- There are other diversion type projects that need to be modeled and we will be asking Dr. Bedient's group to do these
- Friendswood should remain interested in this and if the project was triggered by other agencies we would want to support

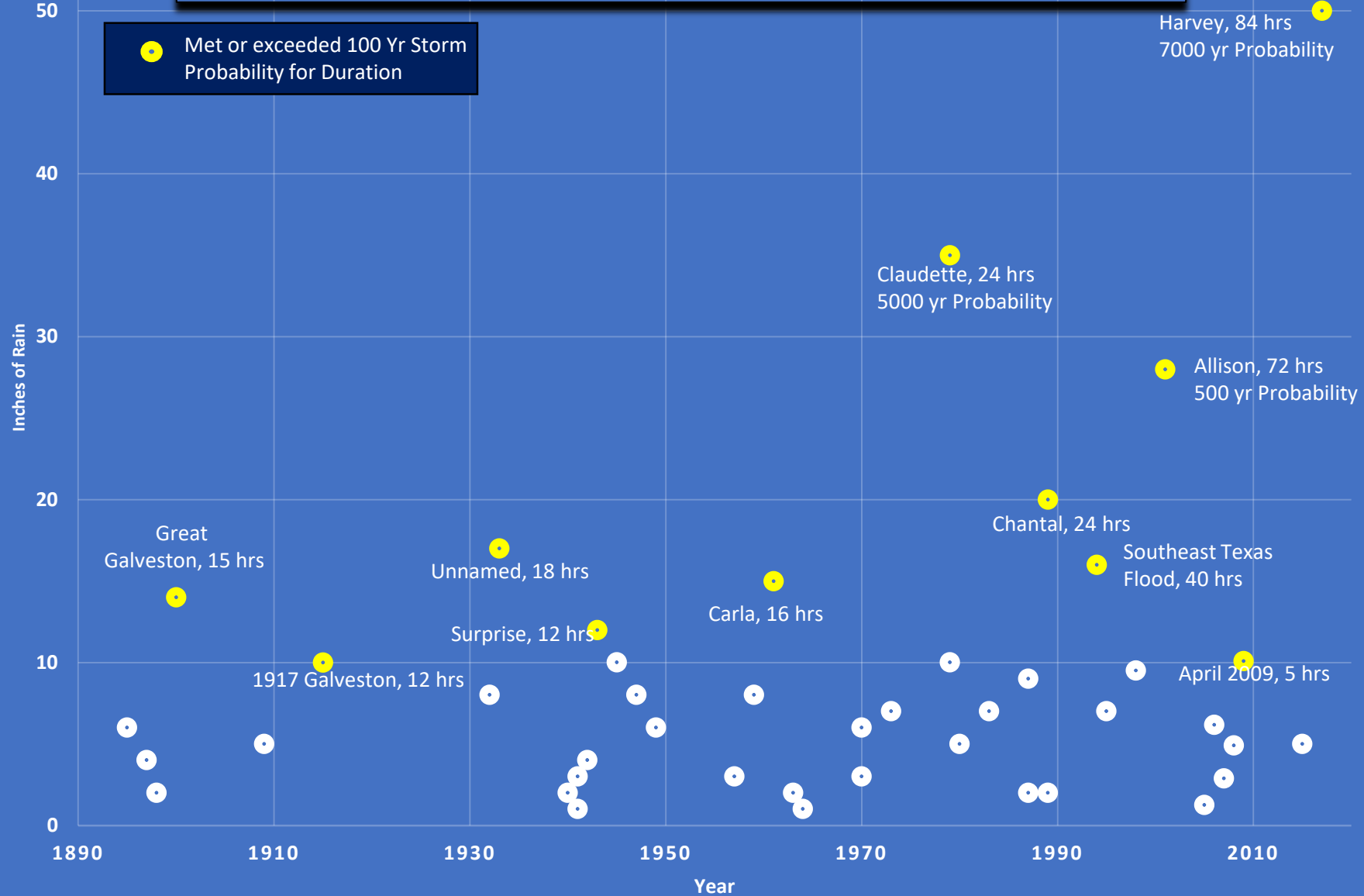
	WSEL Change (ft), Diversion Pt at Bay Area Blvd		
Location	10% Div	25% Div	50% Div
FM 2351	-0.02	-0.04	-0.07
Whispering Pines	-0.08	-0.18	-0.31
FM 528	-0.17	-0.37	-0.64
Bay Area Blvd.	-0.65	-1.54	-2.77
I-45	-0.68	-1.63	-3.03
Clear Lake	-0.40	-0.65	-0.67

What is an Observation

- It is a conclusion the team has reached basis its research, much of which has been presented to council already, and is supported by a majority of our team.
- Each Observation has multiple premises that help us reach the conclusion
- Observations can be in the area of mitigation projects, costs, implementation, political concerns, safety, and environmental....and more.
- To change an observation to something better one needs to attack the premises.
- From the Observations and Premises we have formulated recommendations.

Please Note: As we go through these we sometimes show reminder data but in most cases we assumed Council remembers things we have shown in the past. If something is confusing please ask.

HISTORICAL RAINFALL EVENTS FRIENDSWOOD, INCHES FELL ON CITY ADJUSTED FOR 2018 ATLAS 14 CHANGES



Observation 1

Friendswood experiences catastrophic flooding when the watershed receives rainstorms of 24 inches or more in less than two days.

Why Do We Say This?

- A. From previous chart....such storms are occurring more frequently than the published probabilities of 0.2% (500 yr.) in any given year.
- B. There have been three major storms (Claudette (1979), Allison (2001) and Harvey (2017) that have occurred in the last 40 years (Statistically at a 7.5% per year likelihood.)
- C. Storms of lesser severity can cause localized flooding but do not create the wholesale flooding of significant portions of the city.
- D. Further development of the watershed will exacerbate the effects of such storms or will cause smaller storms to have the same impact. Note the changes just in the last decade.

Observation 2

In Friendswood, and all other areas, flooding of Clear Creek occurs because enough water cannot either be stored upstream or drain fast enough to the ocean during storms as shown in Observation 1.

Why Do We Say This?

- A. Methods to reduce flooding:
 - 1) Reduce the amount of water entering Clear Creek in Friendswood during storms (DS)
 - 2) Increase the ability to flow water out of Clear Creek during storms (R).
- B. About 300,000 acre-feet of water came to Friendswood in Harvey. ~2/3 that in Allison and Claudette.
- C. Acquisition of property will be required to implement these options.
- D. In Harvey, tributaries in Friendswood were not restrictions but backed up when they couldn't exit to Clear Creek.

Observation 3

Over the last 80 years, the Clear Creek watershed has been significantly changed by humans for land use. This has altered the physics of the flow.

Why Do We Say This?

- A. Portions were straightened and widened to reclaim wetlands for farm use and later for residential areas.
- B. Some areas have not been altered and retain their natural unimproved watercourse such as we have in Friendswood.
- C. Clear Lake, is extensively developed at the outlets of the Clear Creek watershed to Galveston Bay.
- D. Again note the Lidar changes in just the last 10 years.

Observation 4

There are multiple jurisdictions in the Clear Creek watershed that pass water into Clear Creek without any further responsibility.

Why Do We Say This?

- A. The land mass of the jurisdictions that drain to Clear Creek in Friendswood is seven times the size of Friendswood.
- B. Jurisdictions generally apply a 1% storm criteria for land use which are not the type of storms that currently cause wholesale flooding. Some jurisdictions are beginning to make changes.
- C. There is no overall governing body although the current Clear Creek Watershed Steering Team has an advisory role.

Observation 5

Currently the City of Friendswood considers their role is to move water effectively from property owner boundaries to the nearest creek or drainage waterway to Clear Creek.

Why Do We Say This?

- A. This is consistent with other jurisdictions in the watershed.
- B. To the extent that the infrastructure exists.
- C. There are some areas or pockets of the city that flood in big storms, that shouldn't and may have a local drainage issue.

Observation 6

The City of Friendswood's general fund is inadequate to fund projects necessary to mitigate flooding of Clear Creek from the storms in question.

Why Do We Say This?

- A. The city is hampered by not having capital funds to support shared funding or pre-funding and payback projects.
- B. The city's yearly general fund is ~\$25M whereas mitigation projects could be an order of magnitude larger.
- C. Funding will be required from other sources and the city will be required to aggressively pursue this funding and be vocal about how funds are disbursed

Observation 7

Cities and areas that are successful in advancing flooding projects nationwide have built in a structure that ensures a Constancy of Purpose to create a long term strategy..

Why Do We Say This?

A. Review HCFCD, Rochester, MN, others studied, Cedar Rapids, Iowa, New Orleans...ect.

B. This is a deceptively important observation.

Observation 8

There are multiple Harvey related funding streams available (Federal, State, County). Some agencies (USACE, Harris County) have already been funded and projects in early stages of implementation. The impacts on Friendswood of these projects has not be adequately demonstrated to the Sub-Committee.

Why Do We Say This?

- A. Harris County had received direct Federal Funds. Other counties, including Galveston, have not received direct funds yet. It is currently not clear how the money will be shared.
- B. Friendswood has applied for Federal and State funding for property buy-outs but some have not been approved and some are pending.
- C. Projects are scheduled on areas like upstream Clear Creek in Pearland, Mud Gully, and Turkey Creek.
- D. Simulations results shared with the sub-committee were for 1% storms only. Sub-committee has requested USACE perform simulations on storms like Harvey but have not received the information yet.

Caveats of Observations

The Team Stayed within its Charter to examine flooding and fixes. There are a number of areas not addressed but some of the important ones are:

- A. Projects might have environmental impacts that will have to be addressed.
- B. Projects such as retention, detention, and terracing of Clear Creek may afford opportunities to create appealing benefits such as parks, sport fields, nature trails, etc.
 - The Sub-Team did not define the cost of this
 - This could be part of the presentation to voters regarding the bond

Recommendations

- Our recommendations are based on the data we collected and the observations we have shown both tonight and in previous report-outs to the City Council of Friendswood.
- Some recommendations attack multiple observations.
- We intend for all recommendations to be actionable by the Friendswood City Council if it so chooses.

Recommendation 1

The City of Friendswood City Council needs to clearly state, through a resolution, that the work of the sub-committee generates a cause for action to mitigate rainstorm flood events.

Why?

- A. Does the City Council of Friendswood agree that catastrophic flooding rainstorm events give cause for action? The back-up has been provided in all sub-committee presentations.
- B. A resolution would demonstrate commitment.
- C. The sub-committee can recommend wording but we believe the council can generate the wording they prefer

Recommendation 2

The City of Friendswood City Council accepts that there are a number of mitigation projects that need to be pursued to completion to significantly reduce flooding in Friendswood. These all involve the main stem of Clear Creek.

Why?

- A. The main stem of the creek is the problem. Tributaries flood by backing up.
- B. The methods to reduce flooding are either store more water, drain it faster, or remove structures from properties that flood.
- C. The mitigation is expensive and will take time to acquire matching funds, perform engineering, acquire rights-of-way, and implement the projects

Recommendation 3

Go to the Friendswood voters with a bond vote that would provide a cost share of \$32M in projects over the next 15 years. This money can ONLY be spent on drainage projects associated with the main channel of Clear Creek.

Why?

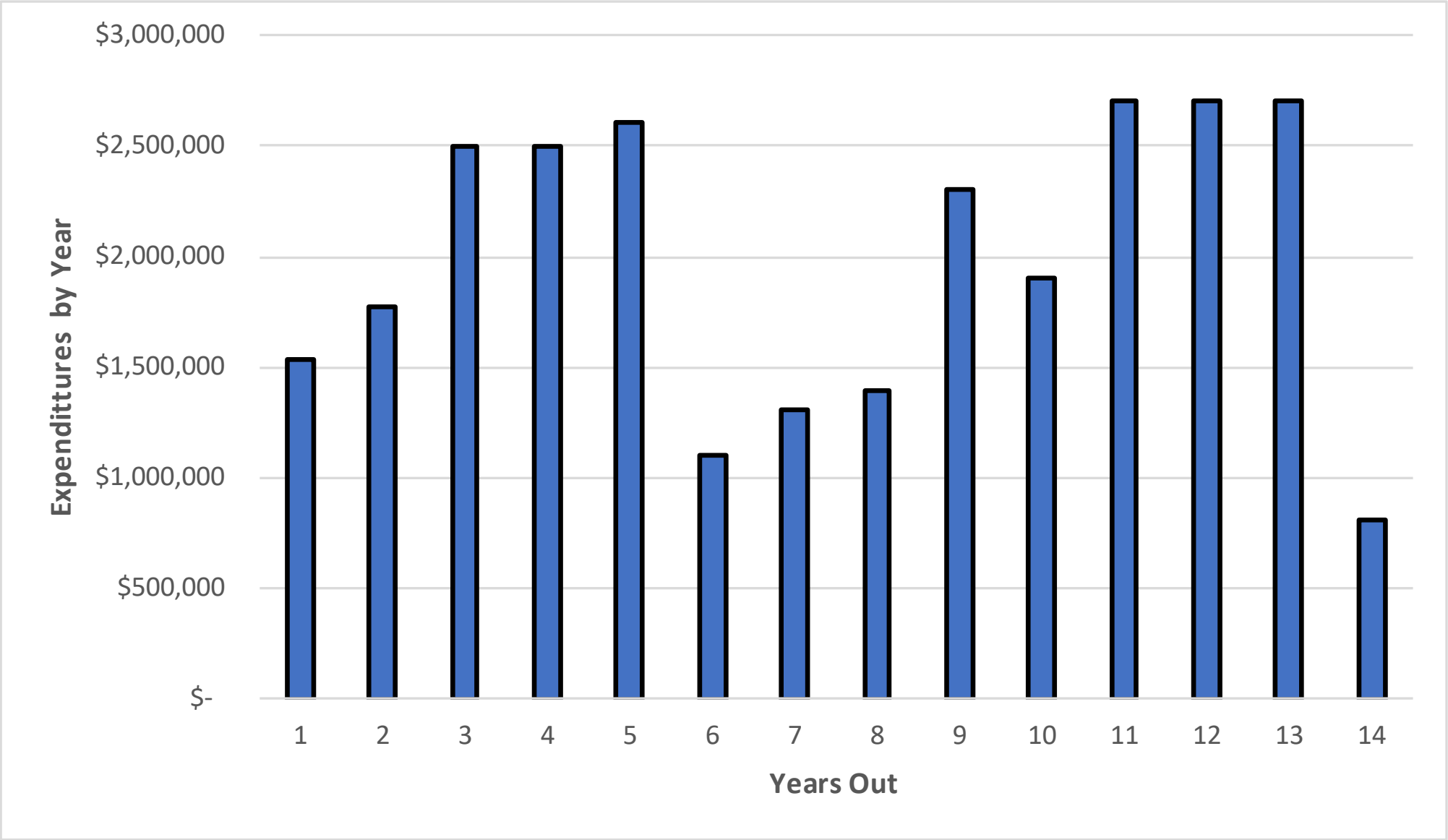
- A. The cost to complete the needed projects is much higher than the \$32M, but this amount allows us to leverage other funds available.
- B. Without having money to spend on flood projects Friendswood will be frozen out of consideration for many direct impact projects.
- C. Amount determined by the number of projects, their positive effects, their costs, expected percentage Friendswood would have to contribute and the time frame.
- D. Determine the net impact on taxes for bonds drawing over that period of time.
- E. Rely on Drainage districts to continue to work on tributaries.

Estimated Costs of Projects with the Best Benefit

#	Mitigation Tyes	Details	TOTAL COST	COF %	Cost to COF	Years to Complete
1	De-Snagging	200 ft	\$ 3,000,000	10%	\$ 300,000	2
2	Bridge/Road Raising	FM 2351 - East Edgewood Drive	\$ 20,000,000	10%	\$ 2,000,000	10
3	Bridge/Road Raising	FM 528 - East Parkwood Ave	\$ 20,000,000	10%	\$ 2,000,000	10
4	Terracing	Dixie Farm Road to FM 2351	\$ 28,000,000	20%	\$ 5,600,000	15
5	Terracing	FM 2351 to Whispering Pines Ave	\$ 22,000,000	20%	\$ 4,400,000	15
6	Terracing	Whispering Pines Ave to FM 528	\$ 10,000,000	20%	\$ 2,000,000	15
7	Terracing	FM 528 to West Bay Area Blvd	\$ 30,000,000	20%	\$ 6,000,000	15
8	Buy Outs	Associated with all Projects	\$ 30,000,000	25%	\$ 7,500,000	5
9	Engineering	Engineering and environmental Impact Studies	\$ 10,000,000	20%	\$ 2,000,000	4
		TOTAL -->	\$ 173,000,000	18%	\$ 31,800,000	

1. Costs based on engineering estimates for similar work.
2. While Dr. Bedient's work showed the FM2351 Bridge that while raising has a bigger impact, we believe for public safety two bridges should be elevated. But also note the terracing should reduce the flood heights which also help bridges stay passable

Estimated Spend Rate for Projects Listed



Recommendation 4

Hire a long term Clear Creek Watershed Drainage coordinator for in the City of Friendswood to create a long term strategy and a Constancy of Purpose

Why?

- A. Experience shows with government to ensure something gets done and to have a long term approach it has to be one person's clear job and that they are held accountable for progress.
- B. City Manager is responsible for defining the job description, hiring, and managing the performance toward the long term goals.
- C. The City Council should be very active in the progress of this work and expect routine reporting in Council meetings
- D. Needs to have a budget to successfully complete the project and continues the sub-committee work on mathematical simulations.
- E. Responsible for Clear Creek drainage project definition, spending, grant writing, interaction with other jurisdictions, and interaction with the public. .
- F. Monitors projects on Clear Creek and requires simulations that show the effect of these projects during storms sizes that flood Friendswood.

Recommendation 5

The City of Friendswood should review and change its current permitting criteria regarding drainage to reflect the realities of the types of storms that occur here.

Why?

- A. Design criteria for new construction at the 1% storm level are inadequate.
- B. Optimally this should be done in conjunction with other municipalities up and down the creek.
- C. Current existing structures would be grandfathered unless substantially altered.

Recommendation 6

The acquisition of properties will be required to adapt Clear Creek to meet the demand for drainage. The City of Friendswood will need to have the means to acquire properties for drainage projects.

Why?

- A. This is included in our calculations for the Bond needs
- B. Quick response to purchase damaged properties after a flood event
- C. Purchase of properties as they go on the market at any time.
- D. Unsolicited offers.
- E. Privately owned properties cannot be used for drainage projects.

Recommendation 7

The City of Friendswood needs to be proactive regarding the management of the flow of water down Clear Creek. The City of Friendswood should take the leadership role in organizing municipalities along Clear Creek to create a common purpose in fixing the creek.

Why?

- A. It is our citizens who flood.
- B. There are over a half dozen agencies involved in Clear Creek. Recognize the responsibilities of other entities and need to increase our presence to support these groups.
- C. The current master plan for the watershed needs improvement.
- D. Solutions have to involve land use and the larger cities on the watershed control this.
- E. As a city council reach out to other cities to initiate communications. Initial discussions with League City leadership indicate they are of a like mind on this.

Recommendation 8

There are currently several efforts to restructure watershed management being contemplated at the county and state level. The City Council needs to be active and participating in this and determining if these efforts will be beneficial to Friendswood and resisted if not.

Why?

- A. Generating watershed control systems can be hugely helpful so long as they are focused on the entire watershed, they are governed fairly, and they are resourced properly.
- B. Care should be given to ensure that changes do not reduce effective current drainage system.
- C. Until the Drainage Coordinator job is filled, Council should determine a method to evaluate changes coming from either the counties, or state.

Recommendation 9

The focus should entirely be toward the future. There is no justification to seek redress directed at upstream or downstream entities for the changes that have occurred along Clear Creek.

Why?

- A. Many of the significant alterations of the Creek were done a long time ago and continue to this day and will continue in the future.
- B. All municipalities comply with current laws and ordinances.
- C. State and Federal law would not support being successful in legal action
- D. Friendswood too has allowed development, including houses built right on the creek, that have also contributed to the problem.

Recommendation 10

There are small areas of Friendswood that flooded during Harvey that were not caused by Clear Creek. The city should be directed to research these and propose fixes.

Why?

- A. May require funding not part of bond capital which is dedicated to Clear Creek's main stem.
- B. This may require general funds to budget for and to perform the repairs.

Recommendation 11

For both flooding and safety during flooding events, greatly increase the monitoring of creeks in Friendswood. There are blind spots on Clear Creek and tributaries in Friendswood regarding inundation levels and rain gauges. This affects safety and the ability to give first alerts to issues. Add more of these in critical areas.

Why?

- A. Work with the flood control districts to increase the number in critical areas.
- B. These instruments can give valuable real time data in storms that can trigger local or large evacuations and later rescue work.
- C. The information is valuable in later analysis of what occurred during storms of all levels.
- D. Consider adding flow rate sensors and video monitoring at critical spots.
- E. All this information should be available to the Friendswood Emergency Operations Command Center and available to the public in real time.

Summary of Actions for Council Needed Tonight

1. **The Sub-Team should present information to the Bond Citizen's Advisory team about the bond portions of the recommendations.**
 - A. This should be done soon!
 - B. Do we have Council's permission to do this?
 - C. If so, what instructions should be relayed to the Advisory team about this information and their ability to interact with it?
2. **The Drainage Sub-Committee as met its original charter to make recommendations back to the city council that are fact-based only and include project types, costs, societal impacts, and political obstacles.**
 - Originally expected to make recommendations back within 6 months.....it took us 8 months! But at least we were faster than the Mueller report!
 - Will be producing a written report capturing all the information gained for posterity.
 - There is on-going work with Dr. Bedient's group to further define project effects and this will continue for some time. Options:
 - Staff could keep this moving.
 - Council could re-charter the current team to do this work
 - Council could charter a new sub-committee to continue this work

Summary of Actions Needed in the Next Few Months

- Recommendation 1 Does Council agree with the overall findings and recommendations and will they generate a resolution to that?
- Do they support the Bond numbers for Drainage?
- Develop plan and budgeting for Clear Creek Drainage coordinator
- To city staff and P&Z on whether to review permitting requirements in light of Subcommittee data.
- Focus for staff on buy out programs which will be taken over by drainage coordinator.
- Have already had discussions with League City leadership and they are interested in linking up with Friendswood regarding Clear Creek.
- Ask staff to keep council up-to-date on watershed bills in the legislature
- Ask staff to create a plan and budget for 2019-20 for isolated drainage area repairs.
- Work with Drainage districts to submit plan and cost sharing for improvements to measurement of the creek.

Position Title: Watershed Coordinator

Department: Engineering Department

Salary Grade: ____

Location: City Hall

Exemption Status: Exempt

PURPOSE OF THE JOB:

- To plan, organize and coordinate the human, financial, and capital resources of the Engineering Department related to drainage
- To assist with the various aspects of the Capital Improvements Program, including long range planning, design and contractual oversight
- To provide technical support to the Floodplain Administrator, Department Director, Assistant City Manager, City Manager, and City Council
- To act as liaison with developers, builders, engineers, state and federal agencies and other local governmental representatives

WORK PERFORMED:

Monitors and undertakes advocacy efforts on behalf of the City related to drainage impacts due to changes within the Clear Creek and Dickinson Bayou watersheds

Plans, organizes and directs engineering projects, to include design, inspection, contractual oversight and coordination of construction projects related to drainage

Serves as a technical advisor to the Floodplain Administrator, Department Director, Assistant City Manager, City Manager, and City Council

Reviews and recommends revisions to municipal ordinances related to drainage and flood mitigation activities

Assists in the preparation of long range capital improvement plans related to drainage

Prepares applications and proposals to state and federal agencies for loan and grant programs

Reviews drainage plans for subdivisions and construction and plats for planning and zoning

Prepares and tracks project schedules for drainage related projects

Responds to written and oral inquiries from developers, contractors, engineers, citizens, governmental agencies and others concerning drainage

Prepares reports to Management Staff and City Council regarding development activity and other projects that impact drainage within the Clear Creek and Dickinson Bayou watersheds

Attends meeting with other agencies

Assist Emergency Management during natural disasters and crisis situations as needed

Attends training programs to stay abreast of professional issues

Performs related duties as assigned

SUPERVISION EXERCISED:

1. Positions Directly Supervised (Number and Titles):

None

2. Indirect Supervision (Number and Titles):

1 – Project Coordinator (Full-Time)

SUPERVISION RECEIVED:

1. Title of Supervisor: Director of Engineering

2. Nature of Supervision:

General, with annual review of performance

RESPONSIBILITY AND AUTHORITY:

1. Decision Making:

Decisions to be made are far reaching, requiring the ability to forecast consequences. Conditions surrounding the problems are uncertain and involve highly sensitive matters. Decisions may effect the financial well being of the organization or the well being of the public. Decisions require in-depth knowledge of relevant laws and ordinances and public administration practices

Examples:

Exercises considerable independent judgment concerning engineering issues for subdivision plat and plan reviews and all designs issues on in-house engineering projects.

Exercises independent judgment in the interpretation of City codes.

Responsible for capital project expenditures: \$100K per year

Responsible for overseeing work by developers: \$5 - 10M per year

2. Equipment:

Frequently drive vehicles and uses personal computer

3. Public Contacts (Nature and Identity):

Interacts with construction superintendents for the purpose of supervising inspections and resolving questions and issues regarding the interpretation of plans. Interacts with the engineers in various engineering consulting firms and public agencies for the purpose of discussing regulations, adequacy of designs, availability of drainage, permits, coordination of projects and project funding. Interacts with developers for the purpose of responding to land use requests and drainage availability.

4. Internal Contacts (Nature and Identity):

Exchanges routine information, coordinates work activities, provides advice and consultation and/or negotiates policies and practices with the Department Director, Assistant City Manager, City Manager, City Council, Planning and Zoning Commission, Public Works Director, Finance Director, Parks and Recreation Director, City Secretary, Fire Marshal, and the Police Chief. Interacts with the Public Works personnel and all Community Development Personnel to exchange routine information, coordinate work activities, provide advice and consultation; Provides direct orders to community development personnel. Exchanges routine information and coordinates work activities with the City Attorney and the Computer Systems Coordinator.

SKILLS, KNOWLEDGE AND ABILITIES:

1. Minimum Education and Experience Required to Perform the Job:

Undergraduate degree in Civil engineering or related field.

Five to ten Years municipal and land development engineering experience in the public or private sector and strong background in hydraulics and hydrology

2. Have previous first line supervisory experience.

3. Knowledge or Skill Proficiencies:

Knowledge of: Construction regulations for drainage; State and Federal laws governing engineering practices and drainage; Familiarity with Building Codes, In-depth knowledge of hydraulics and hydrology due to emphasis upon drainage and flood control

Knowledge of field surveying techniques required to supervise survey crew. Knowledge of computers as a tool for designing and drafting. Knowledge of building construction to manage inspectors. Knowledge of land development and planning principals required to provide technical support to Management Staff

3. Special Aptitudes and Abilities Required:

Excellent management skills; Must be able to manage design team and multiple projects; Must be able to create a motivating environment for employees.

4. Requires Licenses, Registries and Certifications:

Registered as a professional engineer with the State of Texas or ability to become registered with 1 year of employment

Valid Texas Driver's License and good driving record

5. Ability to attend early morning or late evening meetings
6. Regular attendance at the work place is required.

WORKING CONDITIONS-GENERAL:

Position requires occasional exposure to dirt, dust, noise, heat, cold, dampness and odors; On-site inspections of heavy construction will require exposure to excavations and machinery; Physical injury is unlikely if reasonable care is taken.

Position incumbent is subject to considerable stressors due to management of politically sensitive issues, serving as City representative in public meetings, interacting with citizens regarding issues of concern and resolving contractor/developer problems.

Position incumbent is required to attend meetings held in the evenings

NOTE: All positions at the City of Friendswood require documentation of employment eligibility in accordance with federal employment law.

Employee will be required to undergo a pre-employment physical examination and illegal drug screen prior to employment.

I have read and understand the above job description. I hereby attest that I have the qualifications outlined in the job description and that I have no physical or mental condition that would impair my ability to perform these duties and responsibilities.

Employee Signature/Date



NOAA Atlas 14, Volume 11, Version 2
Location name: Friendswood, Texas, USA*
Latitude: 29.5222°, Longitude: -95.1936°
Elevation: 27.49 ft**
* source: ESRI Maps
** source: USGS



POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sandra Pavlovic, Michael St. Laurent, Carl Trypaluk, Dale Unruh, Orlan Wilhite

NOAA, National Weather Service, Silver Spring, Maryland

[PF_tabular](#) | [PF_graphical](#) | [Maps_&_aerials](#)

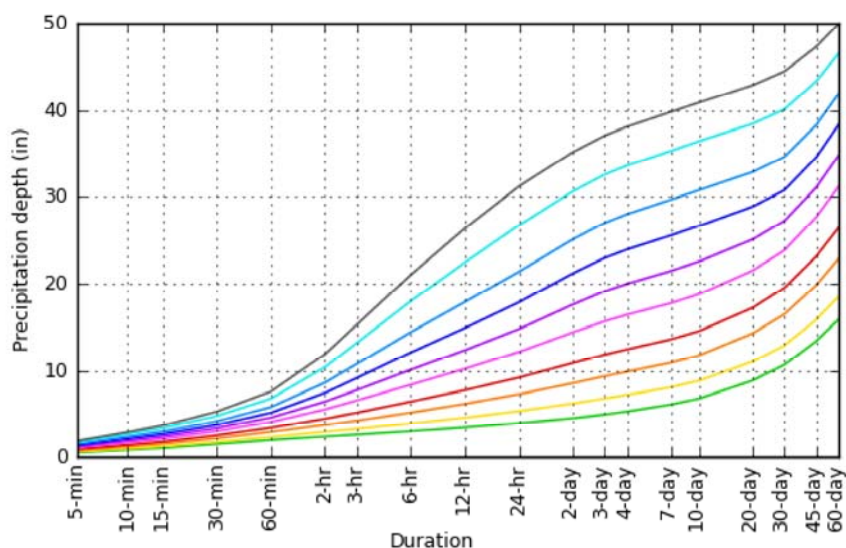
PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches) ¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.512 (0.388-0.677)	0.606 (0.462-0.790)	0.756 (0.576-0.993)	0.883 (0.663-1.18)	1.06 (0.770-1.45)	1.20 (0.847-1.69)	1.34 (0.923-1.94)	1.49 (1.00-2.22)	1.70 (1.10-2.61)	1.86 (1.18-2.94)
10-min	0.809 (0.613-1.07)	0.959 (0.731-1.25)	1.20 (0.913-1.58)	1.40 (1.05-1.87)	1.69 (1.23-2.32)	1.91 (1.35-2.70)	2.13 (1.47-3.10)	2.36 (1.59-3.52)	2.66 (1.73-4.10)	2.89 (1.83-4.57)
15-min	1.04 (0.784-1.37)	1.22 (0.931-1.59)	1.52 (1.16-2.00)	1.77 (1.33-2.36)	2.12 (1.54-2.91)	2.39 (1.69-3.37)	2.66 (1.84-3.86)	2.96 (1.99-4.40)	3.36 (2.18-5.18)	3.68 (2.33-5.81)
30-min	1.50 (1.13-1.98)	1.75 (1.34-2.29)	2.17 (1.65-2.85)	2.52 (1.89-3.36)	3.00 (2.17-4.11)	3.36 (2.38-4.74)	3.75 (2.58-5.43)	4.17 (2.81-6.22)	4.79 (3.11-7.39)	5.29 (3.35-8.36)
60-min	1.97 (1.49-2.61)	2.33 (1.78-3.04)	2.91 (2.22-3.83)	3.40 (2.55-4.53)	4.08 (2.96-5.58)	4.60 (3.25-6.47)	5.16 (3.56-7.48)	5.80 (3.90-8.65)	6.77 (4.40-10.5)	7.58 (4.80-12.0)
2-hr	2.38 (1.81-3.13)	2.92 (2.21-3.73)	3.73 (2.84-4.86)	4.47 (3.37-5.92)	5.55 (4.05-7.58)	6.43 (4.57-9.04)	7.43 (5.14-10.7)	8.60 (5.80-12.7)	10.4 (6.75-15.9)	11.9 (7.54-18.7)
3-hr	2.60 (1.98-3.41)	3.27 (2.45-4.11)	4.25 (3.24-5.50)	5.17 (3.90-6.83)	6.56 (4.81-8.96)	7.75 (5.53-10.9)	9.12 (6.33-13.1)	10.7 (7.24-15.8)	13.2 (8.58-20.2)	15.2 (9.70-23.9)
6-hr	2.99 (2.29-3.91)	3.91 (2.91-4.81)	5.18 (3.96-6.66)	6.43 (4.88-8.46)	8.36 (6.18-11.4)	10.1 (7.24-14.1)	12.1 (8.41-17.3)	14.4 (9.75-21.1)	17.9 (11.7-27.4)	21.0 (13.4-32.8)
12-hr	3.44 (2.65-4.47)	4.59 (3.42-5.60)	6.18 (4.74-7.90)	7.74 (5.90-10.1)	10.2 (7.55-13.8)	12.3 (8.91-17.2)	14.9 (10.4-21.2)	17.8 (12.1-26.1)	22.4 (14.7-34.0)	26.3 (16.9-40.9)
24-hr	3.95 (3.05-5.11)	5.35 (4.00-6.48)	7.28 (5.62-9.26)	9.18 (7.03-12.0)	12.1 (9.05-16.4)	14.8 (10.7-20.5)	17.8 (12.5-25.3)	21.3 (14.6-31.0)	26.7 (17.6-40.3)	31.2 (20.1-48.3)
2-day	4.53 (3.52-5.84)	6.22 (4.67-7.49)	8.55 (6.63-10.8)	10.8 (8.34-14.1)	14.4 (10.8-19.5)	17.6 (12.8-24.4)	21.2 (14.9-29.9)	25.1 (17.2-36.3)	30.6 (20.3-46.0)	35.2 (22.7-54.2)
3-day	4.96 (3.86-6.37)	6.79 (5.12-8.17)	9.33 (7.26-11.8)	11.8 (9.12-15.3)	15.7 (11.8-21.1)	19.1 (14.0-26.5)	22.9 (16.2-32.3)	26.9 (18.5-38.9)	32.6 (21.6-48.7)	37.1 (24.0-56.9)
4-day	5.31 (4.14-6.80)	7.20 (5.45-8.67)	9.86 (7.68-12.4)	12.4 (9.61-16.1)	16.4 (12.4-22.1)	20.0 (14.7-27.6)	23.9 (16.9-33.6)	28.0 (19.2-40.3)	33.6 (22.3-50.2)	38.1 (24.7-58.4)
7-day	6.10 (4.77-7.78)	8.08 (6.16-9.75)	10.9 (8.51-13.7)	13.6 (10.5-17.5)	17.7 (13.5-23.8)	21.4 (15.8-29.5)	25.5 (18.1-35.7)	29.6 (20.4-42.5)	35.3 (23.5-52.5)	39.8 (25.9-60.8)
10-day	6.77 (5.31-8.62)	8.81 (6.76-10.7)	11.7 (9.20-14.7)	14.5 (11.3-18.6)	18.7 (14.3-25.1)	22.5 (16.6-30.9)	26.6 (18.9-37.2)	30.8 (21.3-44.0)	36.4 (24.3-54.0)	40.8 (26.6-62.2)
20-day	8.86 (6.98-11.2)	11.0 (8.63-13.5)	14.3 (11.3-17.9)	17.2 (13.4-22.0)	21.5 (16.3-28.4)	25.0 (18.5-34.1)	28.9 (20.6-40.2)	32.9 (22.9-46.9)	38.4 (25.8-56.8)	42.9 (28.0-65.0)
30-day	10.6 (8.42-13.5)	12.9 (10.2-16.0)	16.5 (13.1-20.6)	19.5 (15.3-24.9)	23.8 (18.0-31.3)	27.2 (20.0-36.7)	30.8 (22.1-42.7)	34.6 (24.2-49.4)	40.1 (27.0-59.2)	44.5 (29.1-67.2)
45-day	13.4 (10.6-16.8)	15.8 (12.7-19.7)	19.8 (15.8-24.8)	23.1 (18.1-29.3)	27.6 (20.9-36.1)	31.1 (22.9-41.8)	34.6 (24.8-47.8)	38.3 (26.8-54.4)	43.3 (29.2-63.7)	47.3 (31.0-71.3)
60-day	15.9 (12.6-19.9)	18.5 (14.9-23.1)	22.8 (18.3-28.6)	26.4 (20.8-33.5)	31.2 (23.7-40.8)	34.8 (25.7-46.8)	38.3 (27.6-52.9)	41.9 (29.3-59.4)	46.5 (31.4-68.2)	49.9 (32.8-75.1)
¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS). Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.										

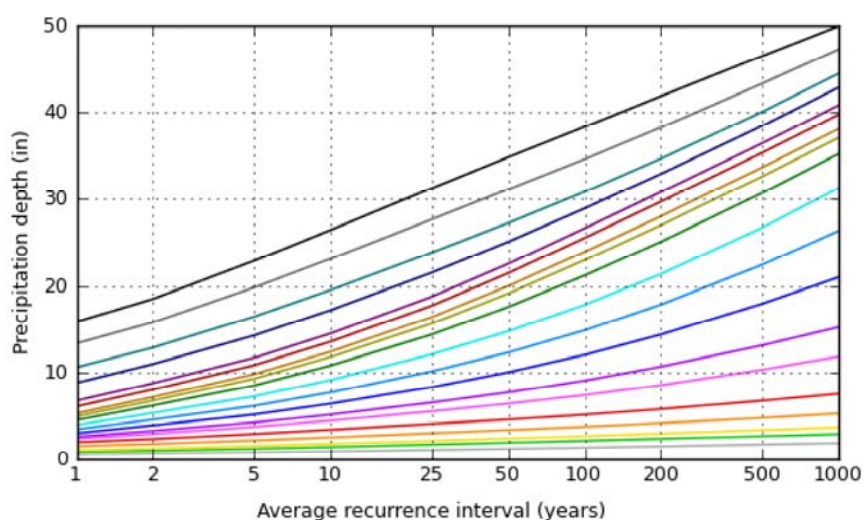
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PF graphical

PDS-based depth-duration-frequency (DDF) curves
Latitude: 29.5222°, Longitude: -95.1936°



Average recurrence interval (years)
1
2
5
10
25
50
100
200
500
1000



Duration	
5-min	2-day
10-min	3-day
15-min	4-day
30-min	7-day
60-min	10-day
2-hr	20-day
3-hr	30-day
6-hr	45-day
12-hr	60-day
24-hr	

Maps & aerals

Small scale terrain



Large scale terrain



Large scale map



Large scale aerial



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[US Department of Commerce](#)
[National Oceanic and Atmospheric Administration](#)
[National Weather Service](#)
[National Water Center](#)
1325 East West Highway
Silver Spring, MD 20910
Questions?: HDSC.Questions@noaa.gov

[Disclaimer](#)



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 8, 2019

Dept. Clearances: Mary Kay Fischer

Prepared by: Mary Kay Fischer

Originating Department: City Attorney

Subject: CenterPoint's Filing of an Application to Increase of System-Wide Transmission and Distribution Rates

Proceeding: Resolutions

City Attorney Review: Yes

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: Amount Budgeted:

Appropriation Required: Source of Funds:
FINANCE APPROVAL: N/A

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

CenterPoint Energy Houston Electric, LLC ("CenterPoint" or "Company") filed an application on April 5, 2019 with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by \$161 million per year. The Company asks the City to approve an increase in \$154 million in retail transmission and distribution rates (an increase of about 7.4%) and \$6.8 million in wholesale transmission rates (an increase of about 1.8%). According to CenterPoint, the impact on an average residential customer would be an increase of about \$2.38 per month.

The resolution suspends the May 10, 2019 effective date of the Company's rate increase for the maximum period permitted by law to allow the City, working in conjunction with other members of GCCC served by CenterPoint to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, CenterPoint's rate request is deemed approved.**

The City, along with approximately 38 other cities served by CenterPoint Energy Houston Electric, LLC (“CenterPoint” or “Company”) is a member of the Gulf Coast Coalition of Cities (“GCCC”). The coalition has been the primary public interest advocate before the Public Utility Commission on electric utility regulation matters for over 20 years. The GCCC has previously approved the hiring of Thomas Brocato and Chris Brewster of the Lloyd Gosselink law firm and consultants to intervene in matters related to the electric utility rate case filings, representing GCCC members’ interests.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

All electric utility customers residing in the City of Friendswood will be impacted by these increased rates if they are granted. Taking this action will allow the Gulf Coast Coalition of Cities’ (GCCC) and its counsel time to review and evaluate the filing to determine whether the filing complies with law, and if lawful, to determine what strategies to pursue on behalf of the Coalition.

RECOMMENDATIONS

Staff recommends Council approve This Resolution to suspend the effective date of CenterPoint Energy Houston Electric, LLC’s rate increase for the maximum period permitted by law.

ATTACHMENTS

[Resolution](#)
[CenterPoint Letter](#)

RESOLUTION NO. R2019-12

A RESOLUTION OF THE CITY OF FRIENDSWOOD, TEXAS, SUSPENDING THE MAY 10, 2019, EFFECTIVE DATE OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING CONTINUED COOPERATION WITH THE GULF COAST COALITION OF CITIES; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

* * * * *

WHEREAS, on or about April 5, 2019, CenterPoint Energy Houston Electric, LLC ("CenterPoint" or "Company"), pursuant to PURA §§ 33.001 and 36.001 filed with the City of Friendswood, Texas, ("City") a Statement of Intent to change electric delivery rates in all municipalities exercising original jurisdiction within its service area, effective May 10, 2019; and

WHEREAS, the City is a member of the Gulf Coast Coalition of Cities ("GCCC") and will cooperate with the other similarly situated city members and other city participants in conducting a review of the Company's application and to hire and direct legal counsel and consultants to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, GCCC's member cities have previously authorized intervention in electric utility rate case proceedings before the Public Utility Commission of Texas; and

WHEREAS, GCCC has previously authorized the hiring of Thomas Brocato and Chris Brewster of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Public Utility Commission; and

WHEREAS, PURA § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days after the date the rate change would otherwise be effective; and

WHEREAS, PURA § 33.023 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the May 10, 2019, effective date of the rate request submitted by CenterPoint on or about April 5, 2019, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

Section 2. That the City is authorized to cooperate with GCCC to coordinate efforts to protect the interests of the City and protect the interests of CenterPoint's end-use customers residing and conducting business within municipal limits.

Section 3. That the City's reasonable rate case expenses shall be reimbursed by CenterPoint on a timely basis.

Section 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 5. A copy of this Resolution shall be sent to CenterPoint, care of Patrick Peters, CenterPoint Energy, Inc., 1005 Congress Avenue, Suite 650, Austin, Texas 78701

(patrick.peters@centerpointenergy.com), and to Chris Brewster at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (cbrewster@lglawfirm.com).

PASSED, APPROVED, AND ADOPTED this the 6th day of May, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary



Patrick H. Peters III
Associate General Counsel and
Director of Regulatory Affairs

1005 Congress Avenue, Suite 650
Austin, Texas 78701
Voice: (512) 397-3032
Fax: (512) 397-3050
patrick.peters@centerpointenergy.com

April 5, 2019

Honorable Mayor and City Officials

Subject: Notice of Assigned Docket Number for CenterPoint Energy Houston Electric, LLC Filing to Change Rates

CenterPoint Energy Houston Electric, LLC ("CenterPoint Houston" or "the Company") delivered to you or is in the process of delivering its statement of intent to change rates with a proposed effective date of May 10, 2019. The application for rate change was filed at the Public Utility Commission of Texas and has been assigned Docket No. 49421. If you have questions concerning this filing, please contact Ms. Hart at (713) 207-5322.

Sincerely,

A handwritten signature in black ink that reads "P.H. Peters III".

Patrick H. Peters III



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 2, 2019

Dept. Clearances: B. Mansfield

Prepared by: D. Murphree

Subject: 2019 Urban Area Security Initiative Grant - Combat Casualty Care Training

Originating Department: FMO

City Attorney Review: mkf

Proceeding: Resolution

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: n/a

Amount Budgeted: n/a

Appropriation Required: n/a

Source of Funds: n/a

FINANCE APPROVAL: *krh*

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

The City of Friendswood – Combat Casualty Care Training project will fund 29 training spots for first responders which includes EMS, Fire Department and Police Department staff.

The total amount for this project is \$4,640. There are no matching funds expected for this grant. The 2019 Urban Area Security Initiative Grant (UASI) application grant: 3914701 requires a resolution containing specific language from council to move forward.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Training will focus on triage, medical intervention, and other specifics related to mass casualties. The training will increase the response capabilities of first responders following instances of terrorism.

RECOMMENDATIONS

Recommendation is made for Council to adopt this resolution, ratify the Mayor's electronic certification for the application, and authorize the Mayor to sign any future documents related to this grant.

ATTACHMENTS

[Resolution](#)
[Application](#)

RESOLUTION NO. R2019-13

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF FRIENDSWOOD, TEXAS, AUTHORIZING AND
APPROVING THE 2019 URBAN AREA SECURITY
INITIATIVE (UASI) GRANT PROGRAM APPLICATION.
(COMBAT CASUALTY CARE TRAINING)**

* * * * *

WHEREAS, the City of Friendswood City Council finds it in the best interest of the citizens of Friendswood, that the City of Friendswood – Combat Casualty Care Training project to be implemented for the 2019 UASI Grant; and

WHEREAS, the City of Friendswood agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Friendswood assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, the City of Friendswood designates the Mayor as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City of Friendswood approves submission of the grant application for the City of Friendswood – Combat Casualty Care Training project to the Office of the Governor.

PASSED, APPROVED, AND ADOPTED this the 6th day of May, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary

Grant Number: 3914701

Project Name: Friendswood Combat Casualty Care Training**Applicant Jurisdiction:** City of Friendswood**Division/Organization administering grant:** Fire Marshal's Office**Application Point of Contact Name:** Brian Mansfield**Application Point of Contact Phone:** 281-996-3335**Application Point of Contact Email:** bmansfield@friendswood.com

Type of Request: (Pick one only) ☒ New Request ☐ Continuation/next phase of project in progress
☐ Sustainment of previously funded project (ongoing costs only) ☐ Completion/final phase of project in progress

Shareable and/or deployable?¹ (Please select all that apply); EHP required? Primary Zip Code? Scalable?

☐ Shareable ☐ Deployable ☒ Neither ☐ This project will require EHP Review²

Zip Code +4 for Project: 77546-4856

☐ This project is scalable.**Is this a Law Enforcement/Terrorism Prevention (LE/TP)****Project (Yes/No)?** See [IB 412](#) for info on what is LE/TP.

No

What core capability does this proposal address? Please**pick one capability that best fits your project.**

Public Health, Healthcare, and EMS

Project Summary: Briefly summarize the project, including proposed activities and how much funding is requested.

Summary and goal: This project will fund training for 28 first responders to attend the "Tactical Combat Casualty Care-ALL COMBATANTS" course. EMS, Fire Department, and Police Department staff will be sent to training. All of these staff members will support the Friendswood Police Department tactical team during operations.

Dollar amount: \$4,480

If this is a sustainment project and your project budget is increasing by more than 5% or there is a significant scope change, please describe these changes:

Problem Statement: Describe issues, hazards, threats your project will target. (Ensure terrorism nexus is clear.)

The City of Friendswood and the region are at risk from a variety of hazards, including terrorism. Active shooters, improvised explosives, and other scenarios related to terrorism is possible within the City. This project seeks to provide training to first responders to better facilitate responses to terrorism and to mitigate the human losses following and incident.

Existing Capability Levels: Describe existing capability levels in your jurisdiction and region.

Staff within the EMS division are trained Paramedics or EMT-B. Staff within the Fire Division are either EMT-B or lower. Staff within the Police Department are generally not medically trained other than basic first aid and CPR. Regardless of the level of training, this course seeks to provide specific training for a combatant / active shooter type scenario with medical triage and rapid medical intervention. Within the region, all jurisdictions are served by either trained EMT-B or Paramedics. Some Police Agencies have trained combat medics while others do not. Specific active shooter training has been conducted, but is not widespread.

Existing Capability Gap: Identify gap(s) in capability that this project will fill. Cite [UASI State Preparedness Report](#) or other assessments, as appropriate.

The gap identified in the 2017 Threat & Hazard Identification & Risk Assessment / State preparedness Report relates to Public Health, Healthcare, and Emergency Medical Services. Specifically, page 85 – training section – Functional Area Gaps – "Emergency medical services" and "Triage and initial stabilization".

¹ If new core capabilities are being sought utilizing HSGP funding, grantees must ensure that the capabilities are deployable outside of their community to support regional and national efforts or otherwise shareable with regional partners and aligned with a capability gap identified in the THIRA/SPR.

² Please see the UASI FY2019 Kickoff slides for more detail on EHP requirements.

Impact Statement: Explain the local/regional impact of this project & how it will reduce the gap identified above

This project will reduce the gap by providing 28 training spots for first responders. Training will focus on triage, medical intervention, and other specifics related to mass casualties. This training will increase the response capabilities of first responders following instances of terrorism. The region will benefit with better trained mutual aid resources available.

Homeland Security Priority Action: Choose the [Priority Action - OBJECTIVE](#) most closely aligned with this project. Use this format: (e.g., 1.2.3 Expand and enhance the network of human sources that can provide detailed and relevant information on known or suspected terrorist and criminal enterprises. Please use the objective, not the goal.)

4.7.1 Ensure adequate homeland security training is available to and completed by leaders with homeland security responsibilities, first responders, and key stakeholders throughout the state.

Target Group: Identify the target jurisdiction(s), group, and population expected to benefit from this project.

City of Friendswood first responders and residents will benefit from this training. Neighboring jurisdictions will also benefit when mutual aid is requested.

Long-Term Approach: How will you sustain/maintain this project beyond UASI grant funding to ensure continuity?

Knowledge and skills gained in this course will be perpetuated within the organizations by training provided to other staff members.

Which [UASI goal & objective](#) does this application address? How will your project help the Region attain this goal?

UASI Strategic Goal: Goal 7: Medical Surge and Fatality Management

UASI Strategic Objective: 7.4 Facilitate effective, accurate, and efficient medical surge and fatality management response by maintaining adequately trained personnel.

This project will help attain the goal by: This project will train 28 first responders in triage and rapid medical intervention.

Please describe your project's expected outputs and outcomes.

Refer to the Metrics in the [UASI Strategy](#) and the [HSGD Measures Example](#) document for appropriate examples.

Outputs:**Outcomes:**

28 first responders will receive training related to medical triage and rapid medical intervention.

For projects sustaining/advancing a FEMA-defined typed team, please answer the questions below (cite the team name of the typed resource and identifier in the [Resource Typing Library Tool](#)). Teams must be on the official list of [regional certified typed teams](#). If it does not sustain/advance a team, please type "N/A" in Name of team and leave the remainder of this section blank.

Name of Team:

Type (See region's certification):

FEMA Typed Resource (From RTLT):

ID of Typed Resource (From RTLT):

Describe how you are sustaining or advancing your team type with this project:

For grant-funded personnel: What will these employees accomplish for the region during the performance period?

For Interoperable Communications Committee projects: Is this project consistent with the SCIP and the RICP? Please describe how this project fills a gap identified in the Interoperability Gap Analysis? (If this is not an ICC project, please type "N/A" below.)

FY2019 Houston UASI Application

For Official Use Only (FOUO)

Milestones (09/2019 – 08/2021) for a 24-month period of performance (3 to 5 required). Annual sustainment projects (personnel and contracts) are limited to a 12 or 24-month period of performance. For personnel, the start date is 1/1/2020.

Identify Milestone and Associated Activities	Phase	Start (MO/YEAR)	Finish (MO/YEAR)
Accept Award	Execute	10/2019	01/2020
Obtain PO and verify quotes	Execute	01/2020	03/2020
Send first responders to training course	Execute	03/2020	07/2020
Closeout	Closeout	08/2020	9/2020
	Choose one.		



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 23, 2019

Dept. Clearances: Morad Kabiri

Prepared by: Morad Kabiri

Subject: Drainage Subcommittee Recommendations - Resolution

Originating Department: City Manager's Office

City Attorney Review: mkf

Proceeding: Resolutions

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: N/A

Amount Budgeted: N/A

Appropriation Required: N/A

Source of Funds: N/A

FINANCE APPROVAL: N/A

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Over the last several months, the Drainage Subcommittee has met to study flooding issues that have plagued Friendswood during extreme, multi-day, rain events since 1979. As their efforts come to close and State and Federal funding become available, the need for matching dollars and a local commitment is increasingly present.

April 1st, Council heard the presentation of the Subcommittee enumerating several observations and recommendations. The first recommendation of the Subcommittee was a call to action on the part of City Council. As such, the attached resolution was drafted highlighting the City's position as it pertains to flooding here in Friendswood.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Failure to act could result in further vulnerability in future storms.

RECOMMENDATIONS

Staff recommends adopting the attached resolution as drafted.

ATTACHMENTS

[Resolution](#)
[Drainage Subcommittee – Final Presentation](#)

RESOLUTION NO. R2019-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS AFFIRMING THE DRAINAGE SUBCOMMITTEE'S FINDINGS THAT FRIENDSWOOD IS SUBJECT TO HIGH INTENSITY HISTORIC LEVEL OF FLOODING EVENTS CAUSED BY CLEAR CREEK BEING INCAPABLE OF CONTAINING WATERSHED RAINWATER WITHIN ITS CURRENT BANKS; NECESSITATING A CAUSE FOR ACTION TO PURSUE MITIGATION ACTIVITIES TO BETTER POSITION THE CITY FOR FUTURE FLOOD EVENTS.

* * * * *

WHEREAS, after being chartered in July of 2018, the Drainage Subcommittee has accurately and appropriately highlighted the fact that the City of Friendswood is subject to periodic high intensity historic level flooding events caused by Clear Creek being incapable of containing watershed rainwater within its current banks; backing up tributaries; and

WHEREAS, these events have caused significant property damage, displacement of families, economic impact, disruption of emergency services, and loss of life; and

WHEREAS, a strategy is required to mitigate historic level flood events, which are happening at a regularity greater than rainstorm probabilities predict; and

WHEREAS, the problem requires a plan that should include the engineering, costs, political realities, and will to act to overcome obstacles; and

WHEREAS, the findings of the Drainage Subcommittee are more than sufficient for a Call to Action by the City Council of the City of Friendswood.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. That the City of Friendswood fully supports the Observations and Recommendations of the Subcommittee and will takes measures to further the recommendations identified.

PASSED, APPROVED AND ADOPTED this the 6th day of May, 2019.

Mike Foreman
Mayor

Attest:

Melinda Welsh, TRMC
City Secretary

Friendswood Drainage Sub-Committee

Observations, Conclusions, and Recommendations to Friendswood City
Council April 1, 2019

One Recommendation to Solve Flooding in Friendswood



And....we are done! April Fools!

Drainage Sub-Committee

• <i>Chartered by Friendswood City Council June, 2018 - ad hoc team</i>	• <i>Formed and started meeting June 28, 2018</i>
• <i>Has met 35 times since then...over 500 of hours of work</i>	• <i>Team Members....</i>

Person	Role	Person	Role
Assigned Members			
James Stahl	Community Representative	Lee Coggins	Community Representative
Ron Lovely	Community Representative	Kenny Koncaba	Community Representative
Gary Harris	Gal. County Cons. Drainage District	Marcus Rives	Gal. Co. Cons. Drainage District
Ken Clark	Galveston County Commissioner	Carl Gustafson	Friendswood City Council
Morad Kabiri	Friendswood City Manager	Steve Rockey	Friendswood City Council – Chair
Myron Jones	Harris County Flood Control District	Lance Gillian	Harris County – Rodney Ellis Office
Ad Hoc Members			
Dawn McDonald	State Rep. Dennis Paul's Office	Jed Webb	US Congressman Randy Weber's Office
Jackie King	State Senator Larry Taylor's Office	Fay Picard	State Rep Dr. Greg Bonnen's Office
Melissa Washington	Texas General Land Office	Shakhar Misir	US Army Corps of Engineers

Presenting Tonight

- Team members James Stahl and Lee Coggins.....however the presentation was developed by the whole team.
- We have been following a process and have already presented our problem statement, a significant portion of the data, and analysis.
- Tonight we have some analysis to present. We will also be presenting our Observations/Conclusions and we will present recommendations.
- **AND....there are no formulas to learn tonight!!**

Harvey Damage Data

- After Harvey, City Public Works staff visited all damaged buildings and homes and from the outside estimated the level of flooding.
- Did not enter houses, they just measured from the water marks on the outside of the house above the slab level.
- We believe this data to be accurate within a few inches in either direction.

Flooded by Type

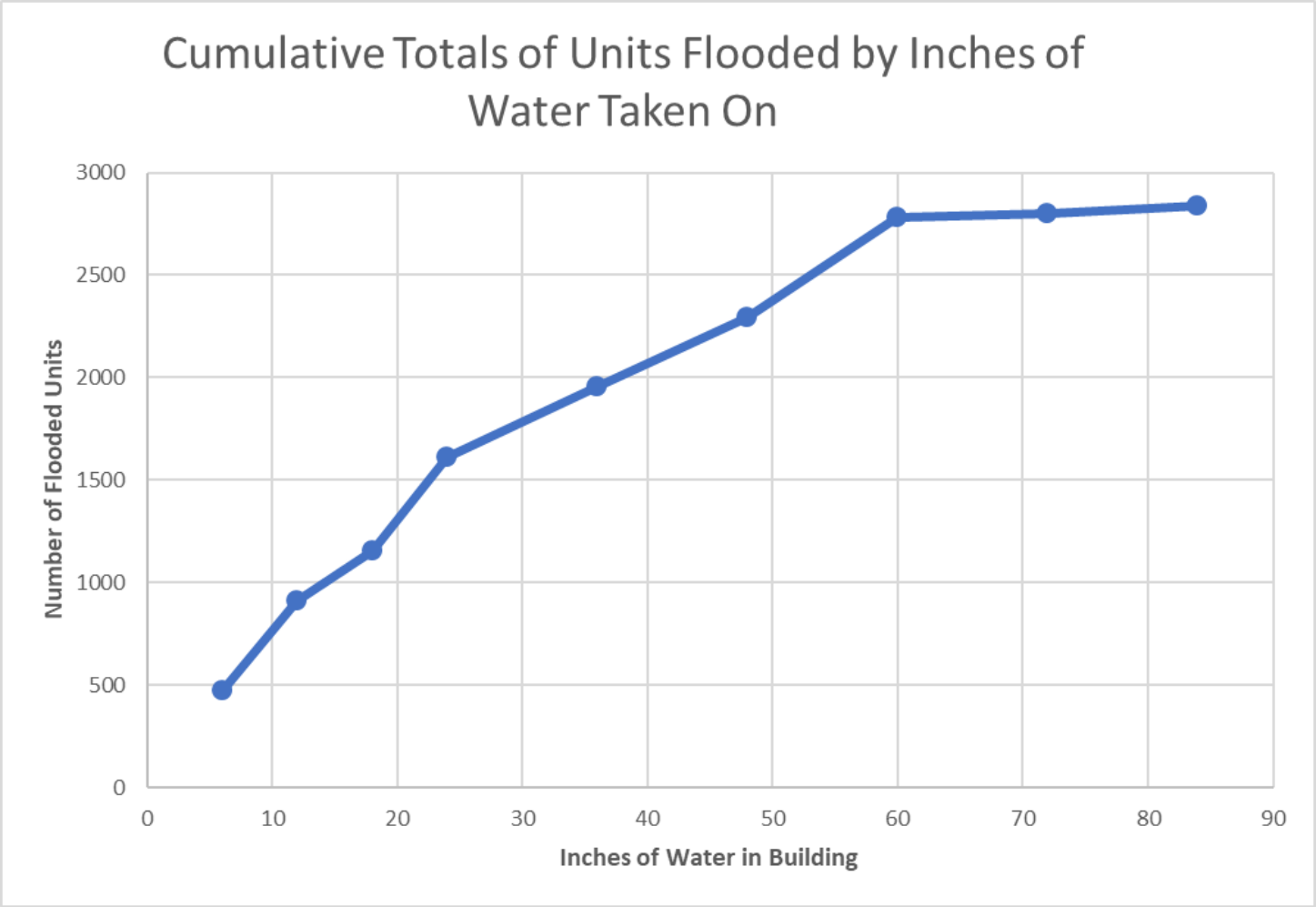
Damage Assessment	# Units Damaged	% of Units Damaged
Mobile Home	2	0%
Commercial	67	2%
Multi-Family	359	13%
Single Family Residential	2410	85%
Grand Total	2838	

Flooded by Damage Assessment

Damage Assessment	# Units Damaged	% of Units Damaged
AFFECTED	472	17%
MINOR	941	33%
MAJOR	1075	38%
DESTROYED	350	12%
Grand Total	2838	

Elevation of Flooding in Housing For Harvey

Unit Flooding Level	Galveston # of Units	Harris # of Units	TOTAL # of Units
Zero to 6 Inches	281	193	474
7 to 12 Inches	198	242	440
13 to 18 Inches	174	67	241
19 to 24 Inches	116	343	459
25 to 36 Inches	171	173	344
37 to 48 Inches	90	246	336
49 to 60 Inches	176	313	489
60 to 72 Inches	7	13	20
Above 72 Inches	33	2	35
Grand Total	1246	1592	2838



Modeling the Creek by Rice University

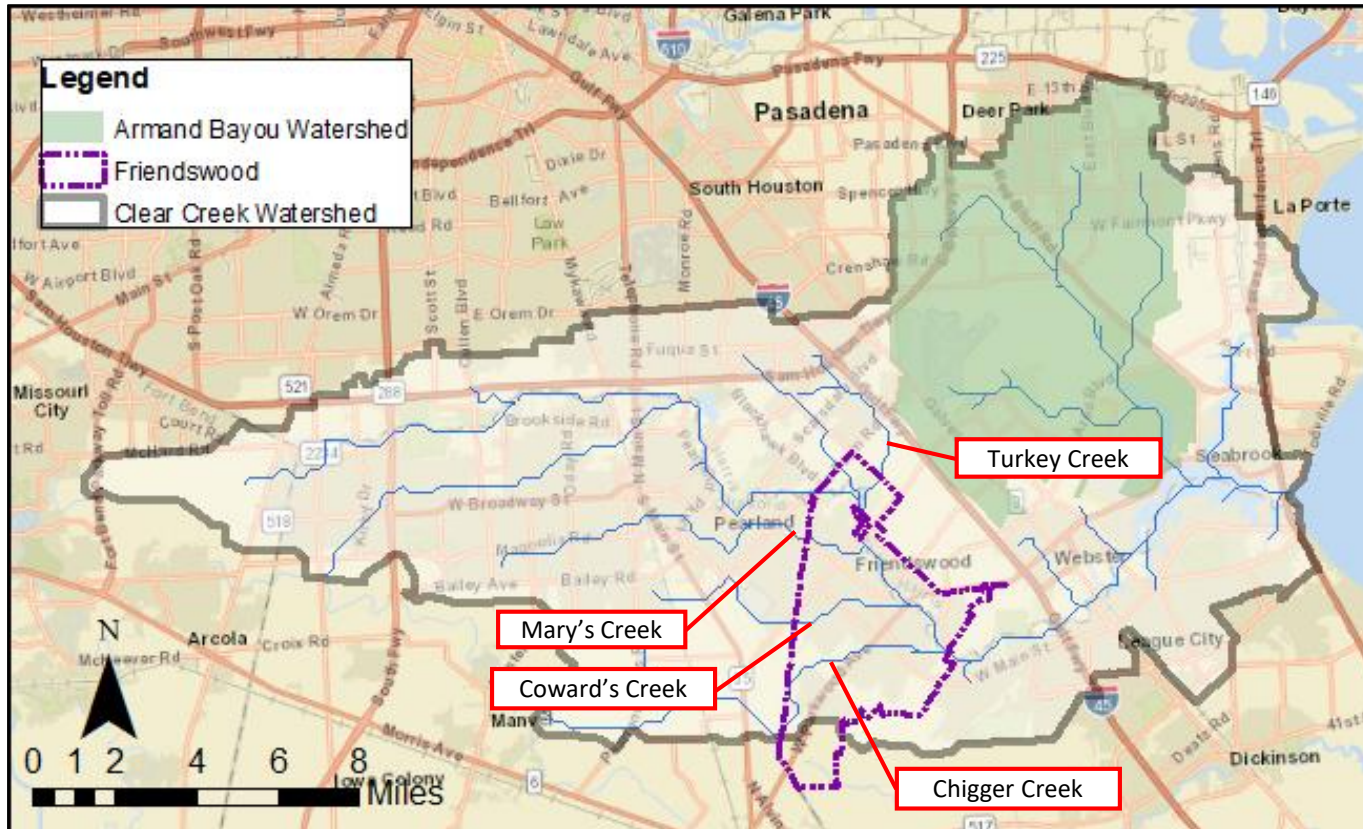
- Recall that we hired Dr. Bedient and his team from Rice University to model Clear Creek in Friendswood.
- His team has reported back with their model and they measured the effects of various proposed projects.
- We intend to keep the relationship with Dr. Bedient's work and have future items modeled.

Dr. Philip B. Bedient is the Herman Brown Professor of Engineering in **Civil and Environmental Engineering** at **Rice University**. He teaches and performs research in surface water hydrology and



flood prediction systems, and radar based flood alert. He has directed 60 research projects over the past 35 years, has written over 180 articles in journals and conference proceedings. He has worked on hydrologic problems including major floodplain studies, water quality assessments, and hydrologic modeling for a number of watersheds in Texas, Florida, and Louisiana. He has been actively involved in the area of hydrologic analysis for flood prediction and warning, and has developed a real-time flood alert system for the Texas Medical Center, based on the use of NEXRAD radar data. Dr. Bedient directs the **SSPEED Center** at Rice for Severe Storm Prediction, consisting of several universities in the Gulf Coast area, which has funding to address the impacts of Hurricane Ike in the Houston area. Both storm surge prediction, inland flooding, and long-term mitigation strategies are being studied with funding from the Houston Endowment. Dr. Bedient also is evaluating low impact development schemes with funding from the City of Houston.

Dr. Bedient's Work - Background of Study Area



Overall Study Area & Modeling Domain

- Clear Creek Watershed
- Armand Bayou Watershed

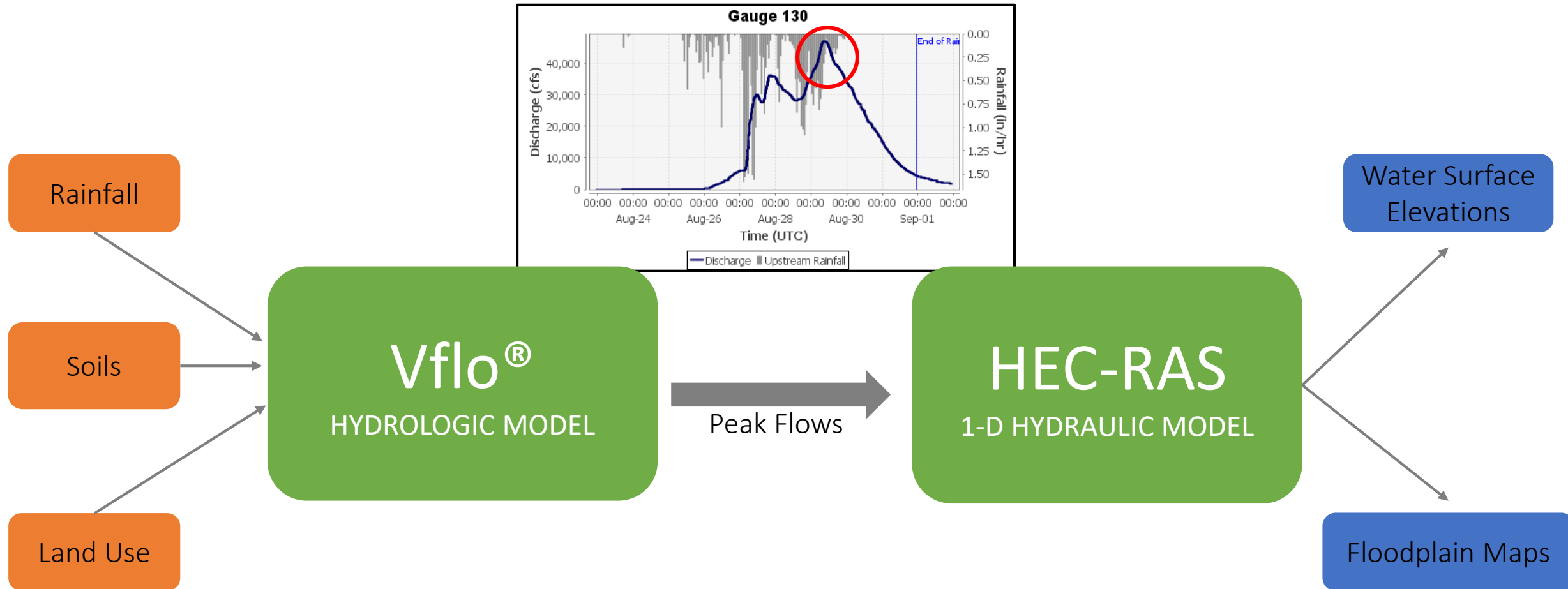
Study Focus: City of Friendswood

- Primarily residential and commercial development
- Flood drivers:
 - Low slopes
 - High imperviousness
 - Proximity to coast

What Was Evaluated

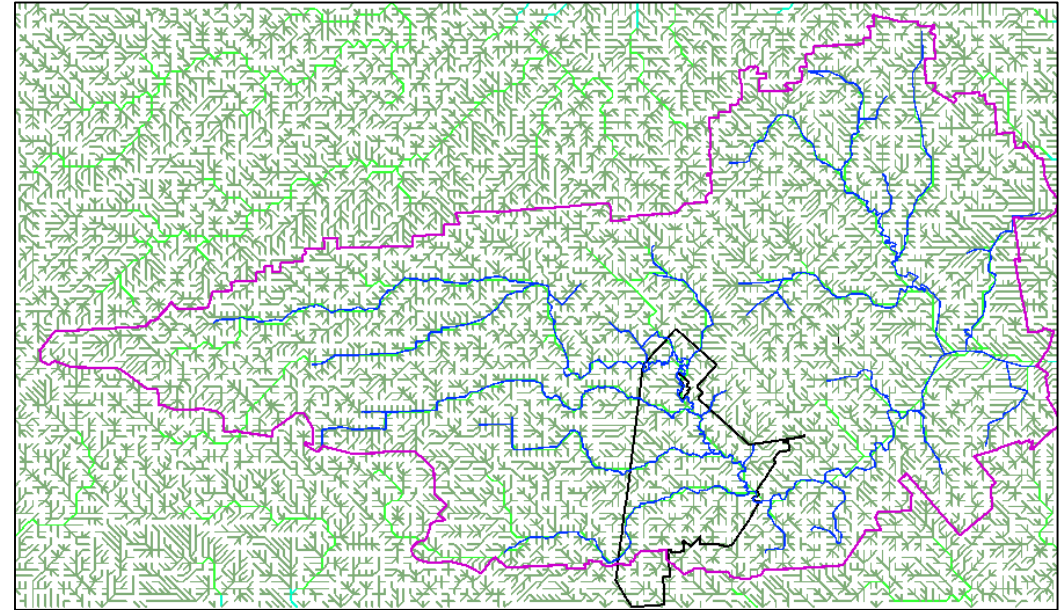
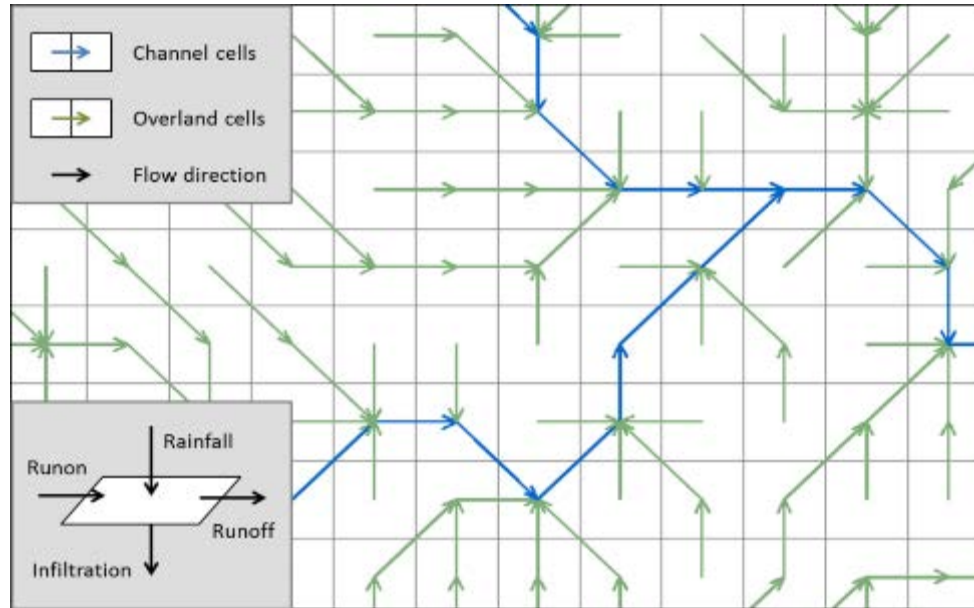
- Assess existing flood vulnerability with mathematical modeling.
- Validate the model against the observed flooding seen in Harvey.
- Explore a variety of mitigation scenarios:
 1. Bridge Raising
 2. De-snagging
 3. Channelization and Terracing
 4. Diversion at Outlet
 5. Proposed Detention Ponds
- Model multiple scenarios to determine best group

Modeling Framework



We do not intend to show all Dr. Bedient's data tonight however there is a 60 pages slide presentation that will be made public of his team's work and there will be a final report.

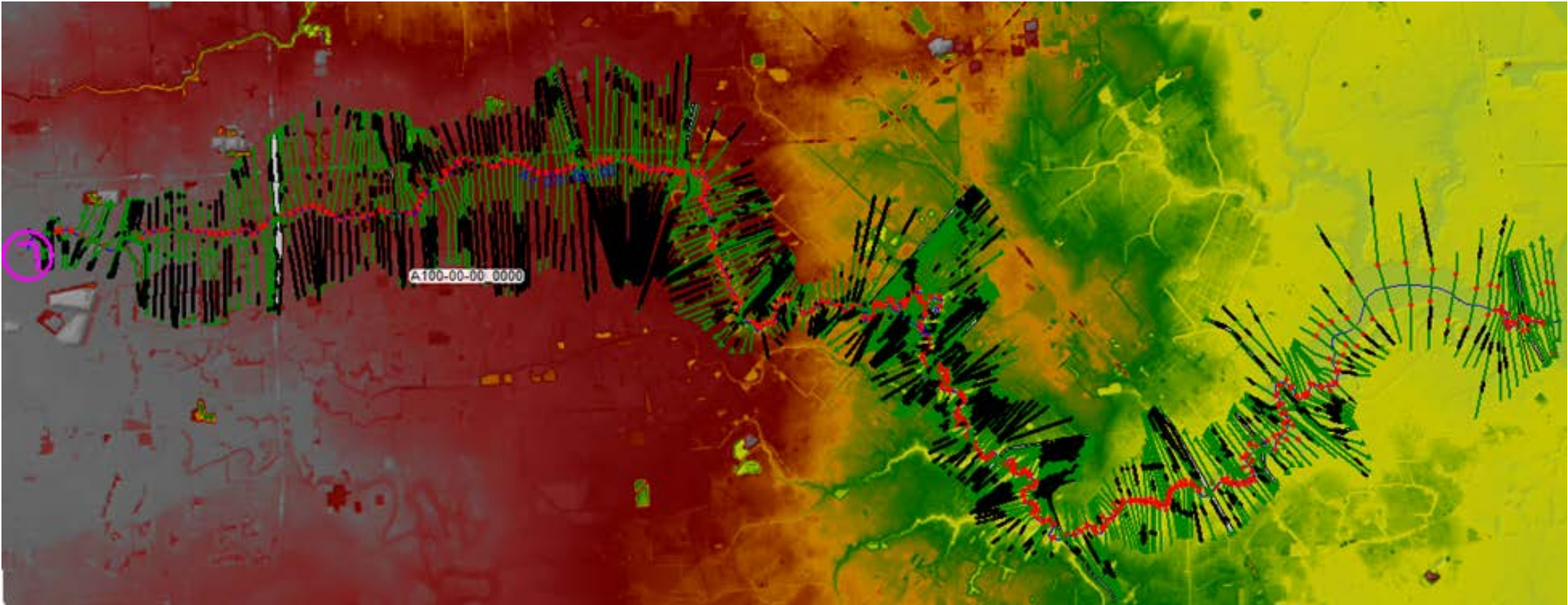
Distributed Hydrologic Model - Vflo®



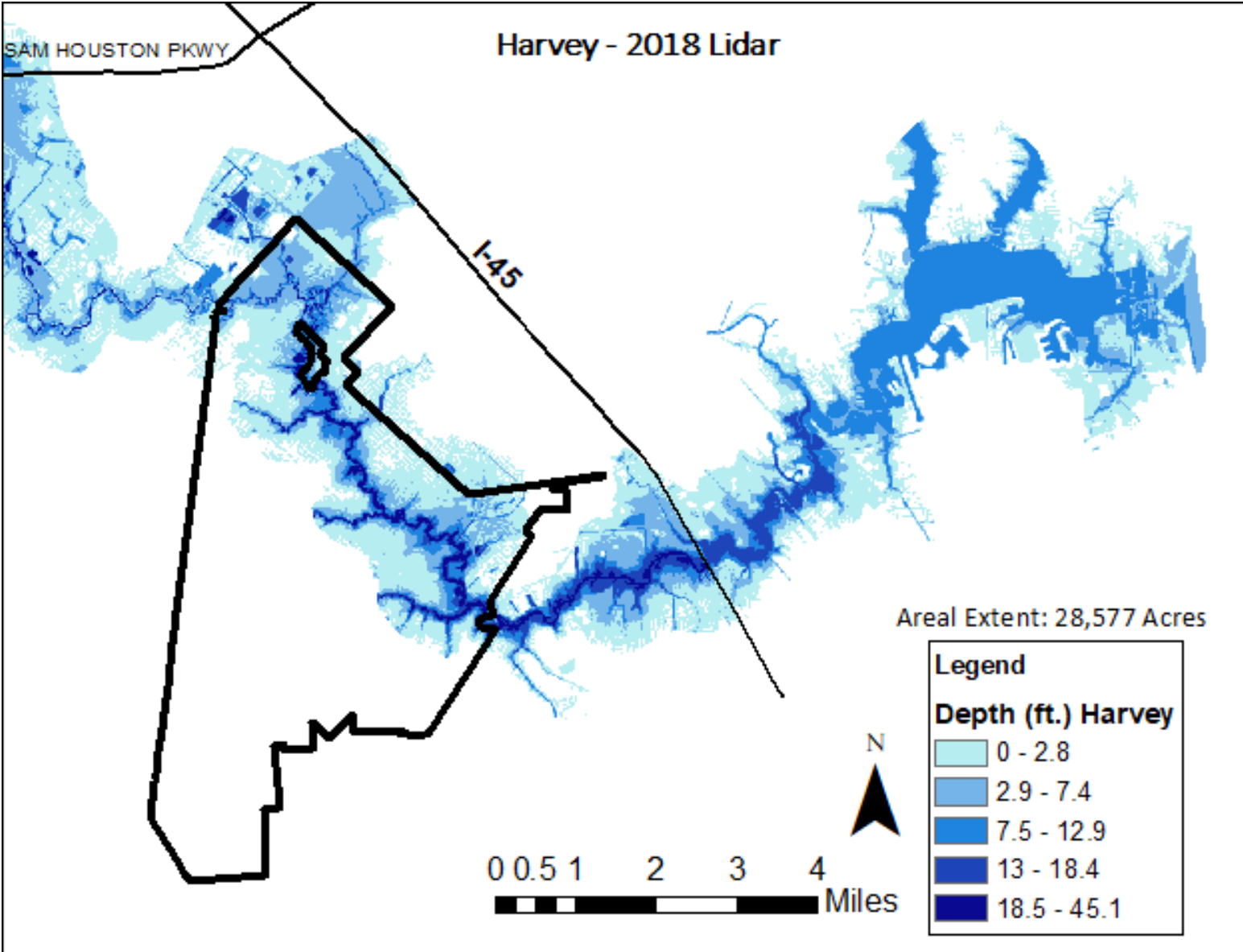
- Fully distributed physics-based hydrologic model developed by Vieux and Associates, Inc.
- Infiltration calculated by Green and Ampt Equation
- Uses Kinematic Wave to route runoff between overland grid cells and Modified Puls for channel cells
- Rainfall input can be rain gauge data or radar rainfall

Hydraulic Model – HEC-RAS

- Developed by the Hydrologic Engineering Center (HEC) of the US Army Corps of Engineers
- Used in various floodplain studies and dam breach analyses
- 1D steady-state is used as the basis for FEMA floodplains
- Existing model was obtained from HCFCD M3 system

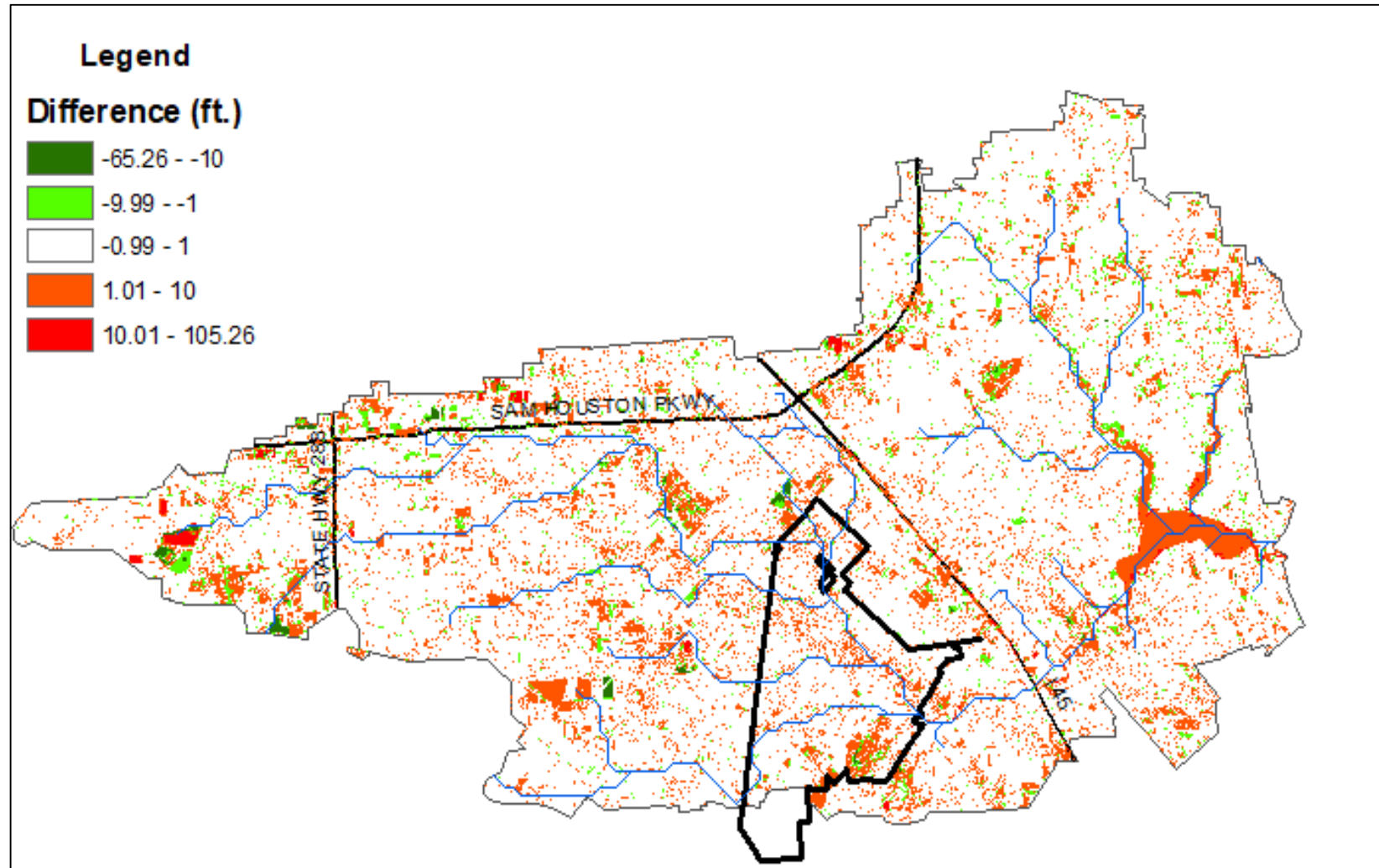


Additionally for Each Test Scenario Flood Plain Maps Can Be Predicted



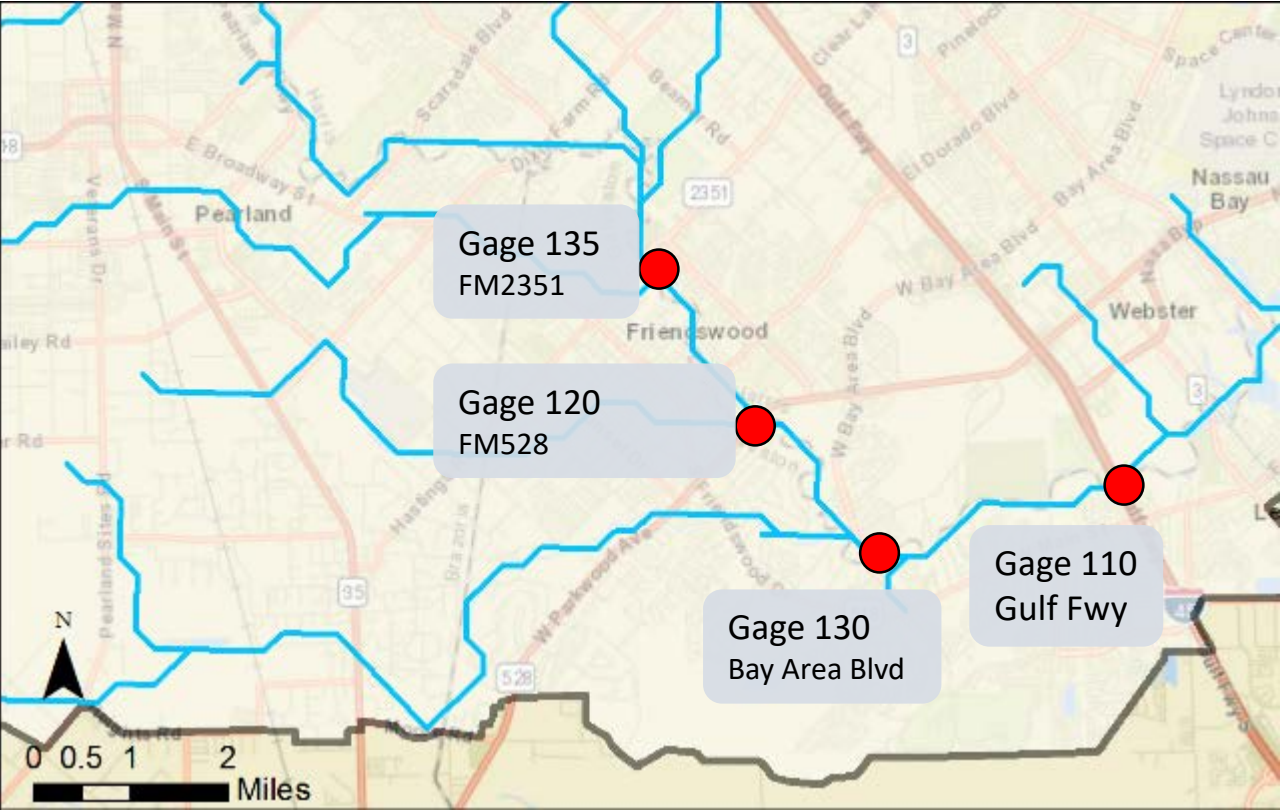
Changes in Land Use in Clear Creek Watershed Last Decade

This supports Team Observations and Recommendations Regarding Land Use, Permitting, and Watershed Changes



1. Changes in land use from 2008 to 2018 using LIDAR (Light Detection and Ranging).
2. Green shows decreases in surface elevation mostly from addition of detention ponds.
3. Orange and Red shows increases in land elevations due to land development.
4. White areas remain unchanged although some likely were changed earlier than 2008,

Model Validation – Peak Water Surface Elevation (WSEL) for Harvey

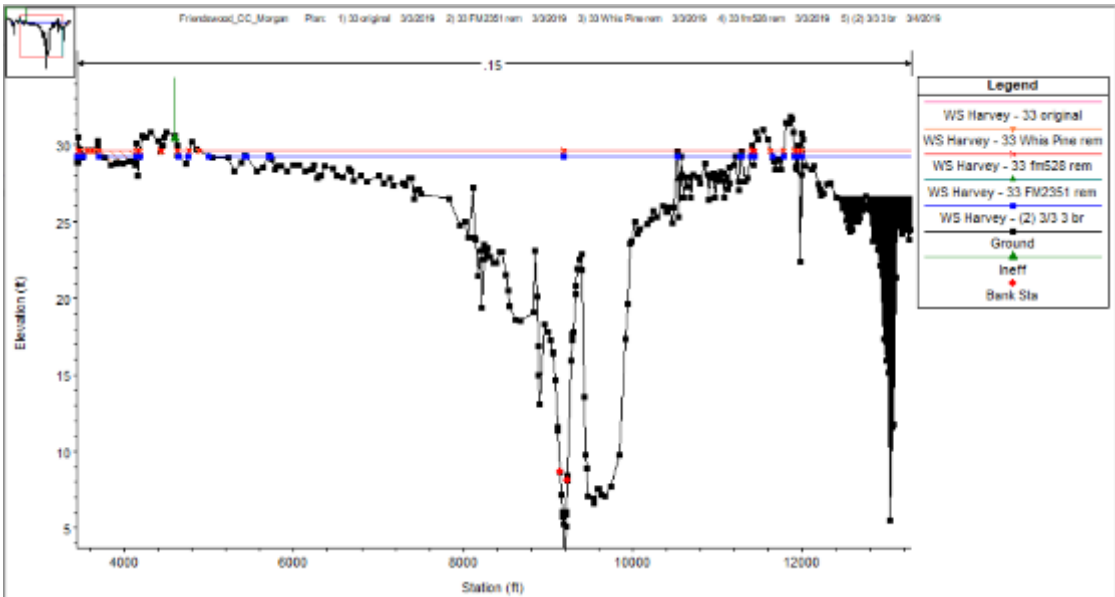
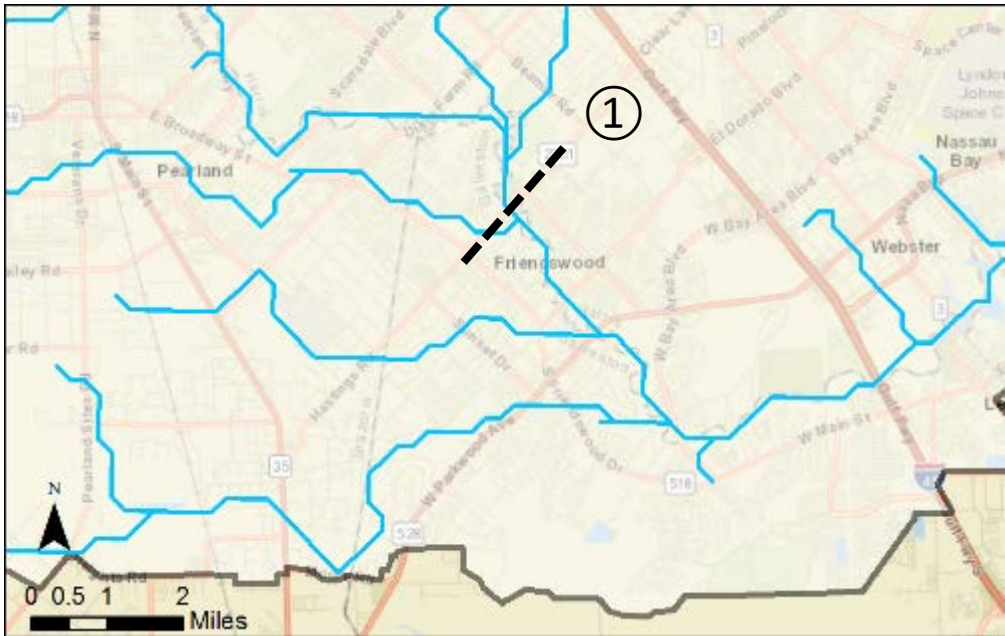


Measurement Location	Observed (HCFCF) WSEL	USGS High Water Mark	Modeled Peak WSEL	Difference
Gage 135	27.7	29.43	28.94	-0.46
Gage 120	24.2	-	24.50	0.30
Gage 130	21.1	-	21.35	0.69
Gage 110	16.6	-	16.48	0.04

*All listed values are in feet

Differences this close are considered outstanding in the field of flood modeling

An Example of the Output for Just One (Raising the FM 2351 Bridge)



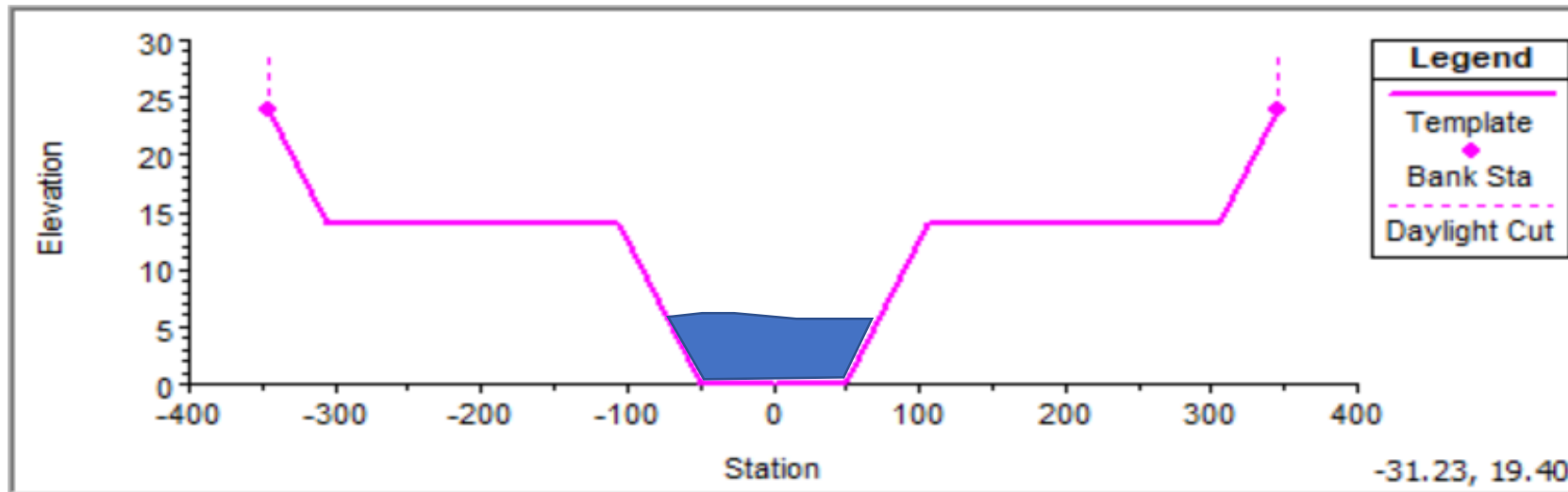
*Plot depicts upstream bridge raising scenario

In All Cases data was shown for the effect of the project for the historical 100 yr. storm, the new 100 year storm, and Harvey. Negative numbers indicate how much lower flooding would have been had the project been in place

Storm	Changes in Peak WSEL (ft)			
	FM 2351	Whispering Pines	FM 528	All 3 bridges
100 yr.	-1.69	-0.02	-0.04	-1.86
100 yr. (ATLAS 14)	-0.57	0	-0.01	-0.59
Harvey	-0.38	-0.01	-0.01	-0.38

Terracing - Method

- Based on the terracing design, extend a 200 ft terrace to both sides
- Channel meanders remain intact (i.e., no channel straightening)
- Grass terracing has a roughness coefficient of 0.04 on its terraces.



Bottom Width	Channel Depth	Side Slope (H:V)	Terracing Distance (each side)	Terracing Depth	Manning's n (channel)	Manning's n (grass terracing)
60 ft	14 ft	4	200 ft	10 ft	0.015	0.04

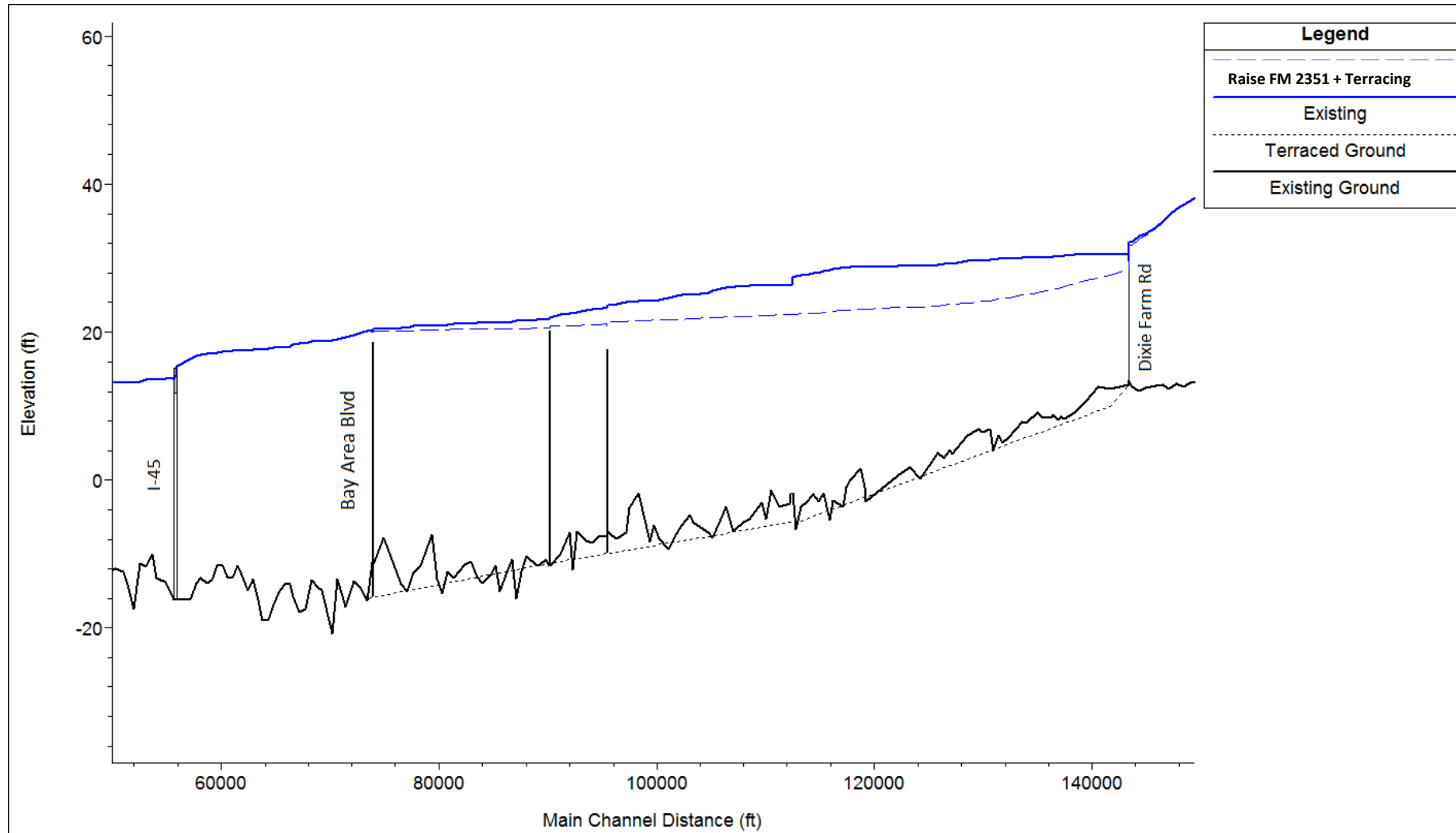
Summary of Scenario Individual Testing – Harvey

#	Watchpoint Location	Change in Peak WSEL (ft)					
		Three-Bridge Raising	Terracing	Bridge Rm + Terracing	De-Snag	50% Diversion	Detention
1	Upstream FM 2351 Bridge	-0.79	-3.78	-4.11	-0.86	-0.11	-0.03
2	Downstream FM 2351 Bridge	-0.09	-3.38	-3.37	-1.47	-0.15	-0.04
3	Upstream Whispering Pines Bridge	-0.20	-1.83	-1.83	-0.87	-0.38	-0.04
4	Downstream Whispering Pines Bridge	-0.19	-1.56	-1.56	-0.75	-0.47	-0.04
5	Upstream FM 528 Bridge	-0.19	-1.10	-1.10	-0.44	-0.74	-0.05
6	Downstream FM 528 Bridge	0.00	-0.90	-0.90	-0.37	-1.03	-0.06
7	Downstream Bay Area Blvd Bridge	0.00	-0.09	-0.09	0.00	-2.9	-0.09
8	Downstream I-45 Bridge	0.00	0.00	0.00	0.00	-3.62	-0.06
9	Clear Lake	0.00	0.00	0.00	0.00	-1.52	-0.04

Dr. Bedient's Team Calculated the Group of Projects That Would Have the Biggest Effect.

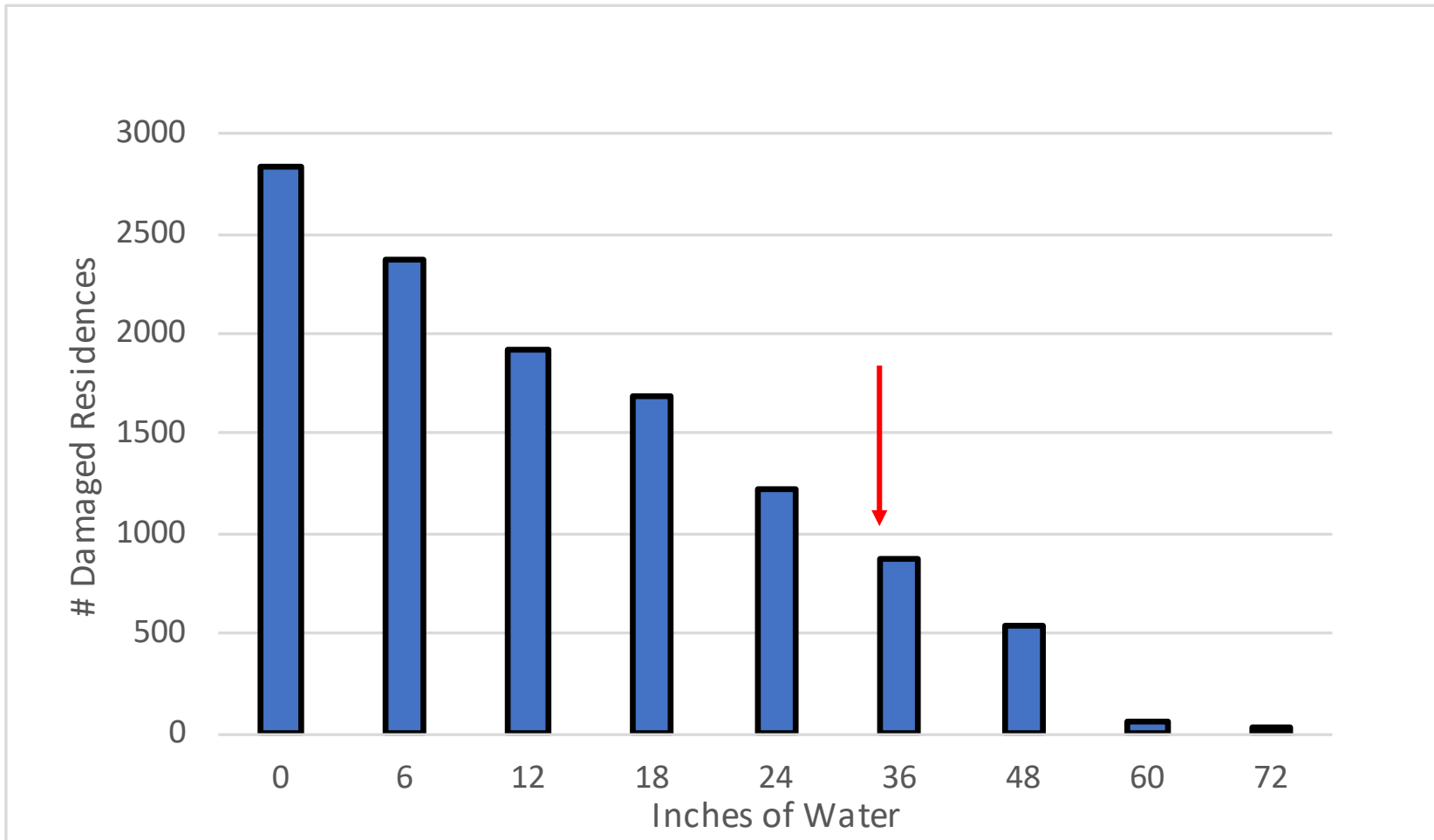
- ✓ You can't just add the numbers on the previous page because different projects interact with each other in both positive and negative ways
- ✓ It turns out that raising the FM 2351, de-snagging and terracing together have the greatest positive impact.
- ✓ Importantly those same projects don't negatively effect League City.
- ✓ Combination scenario decreases up to ~3.5 ft of water at Friendswood during Harvey.
 - The effect is more pronounced upstream of Whispering Pines and begins to diminish as you move down stream.
 - Land availability downstream of FM 528 is greater so increasing the terracing width there would likely increase the effect between FM 528 and Bay Area Blvd
 - Bedient's will model this in the future

Effect of Raising FM 2351 Bridge and Terracing on Harvey Flood Levels



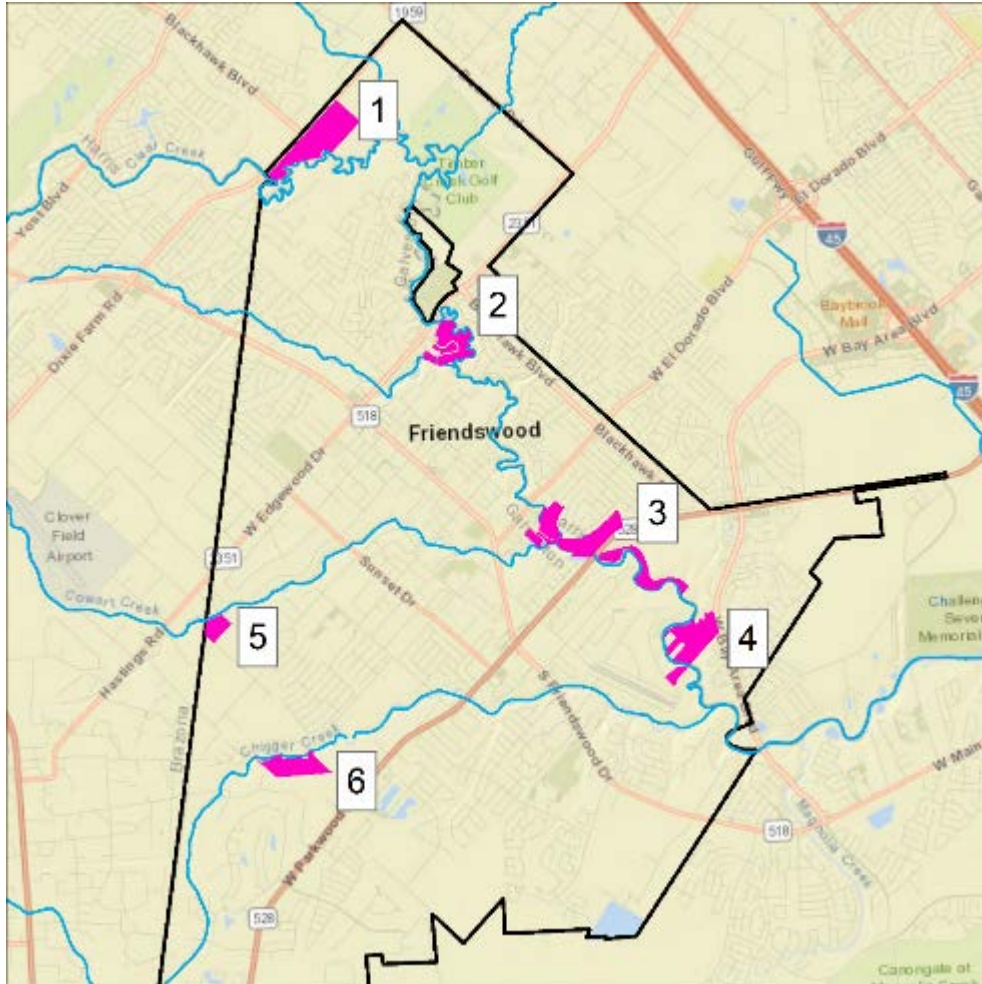
- As Noted increasing terracing width downstream of FM 528 will increase positive effect
- Current I45 Bridge was an issue in Harvey. The current work raises the Bridge and Feeder Bridges and should help water move out better

Reduction as Modeled through Friendswood Would Have the Following Effect



- Assuming Best Project Case was completed before Harvey.
- Using locations of where the houses flooded and possible reduction basis modelling.
- We would have seen 850 houses flood instead of 2830.
- And the houses that did flood
 - 250 of them would have gotten 6" of water or less
 - 550 of them would have gotten between 6" to 2 feet.
- **Please note further work can define this better almost to the house.**

We did Ask For Modeling of 6 Proposed Detention Ponds

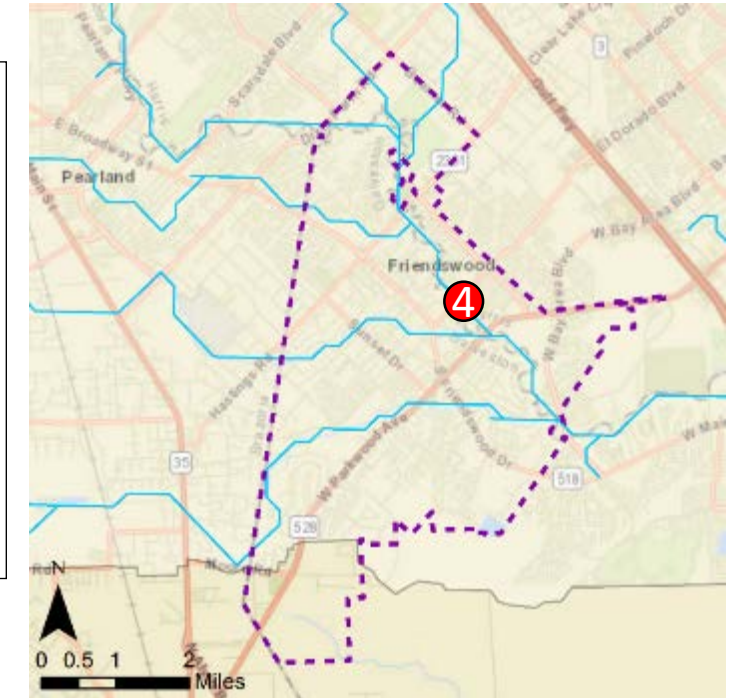
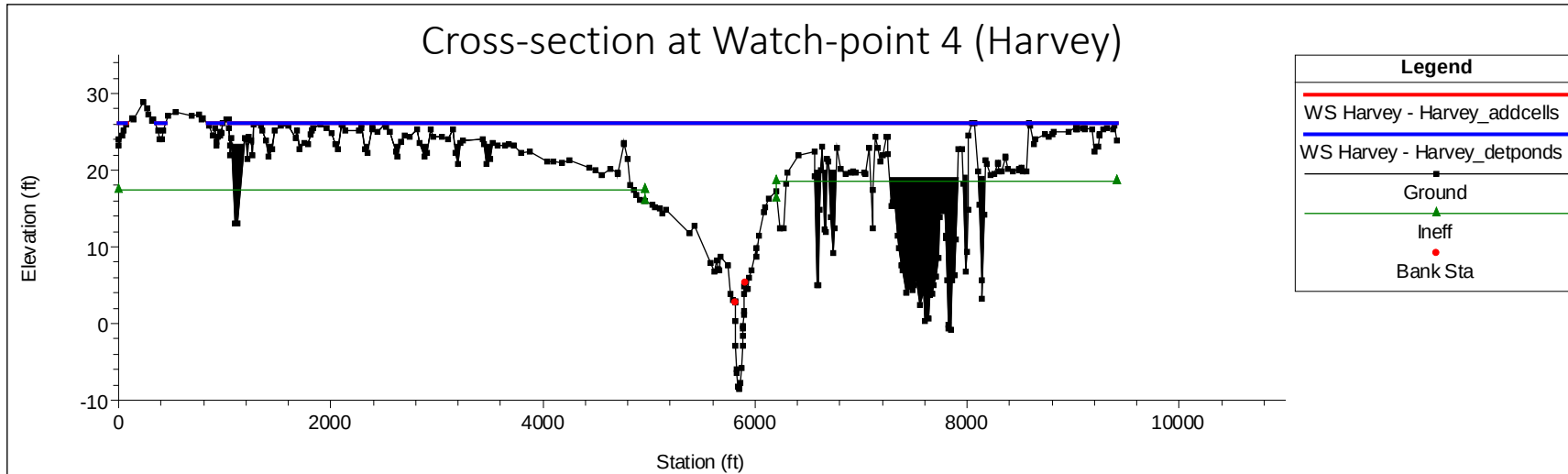


Six proposed ponds were modeled simultaneously in Vflo using GIS shapefiles provided.

Pond #	Designed Acreage
1	73.0
2	36.5
3	64.2
4	53.1
5	21.2
6	33.3

*When modeling, drainage areas into ponds were assumed to be about 3x the designed acreage.

As Example Detention Pond at Whispering Pines



Water Elevation Changes Due to Detention – 100 Yr. Storm

Location	WSEL change (ft)
FM 2351	-0.01
Whispering Pines	-0.02
FM 528	-0.05
Bay Area Blvd.	-0.14
I-45	-0.20
Clear Lake	-0.15

- Changes are minimal.
- In Harvey Storm even less held due to filling up early.
- To have an affect in Harvey would need a 4500 acre pond somewhere upstream.

Diversion

Modeled diverting water out of Clear Creek at Bay Area Bridge and finding another path to the Gulf other than going down and out Clear Lake.

- The positive effects occur mainly near and below the diversion point.
- Further modelling needed to better define
- Does require moving the water across other watersheds
- Significant land acquisition needed, little of this actually in Friendswood.
- Project cost would exceed \$300M and would have to be done by USACE.
- Friendswood's portion of cost would be less than 5%.
- Other cities and agencies would control this.
- There are other diversion type projects that need to be modeled and we will be asking Dr. Bedient's group to do these
- Friendswood should remain interested in this and if the project was triggered by other agencies we would want to support

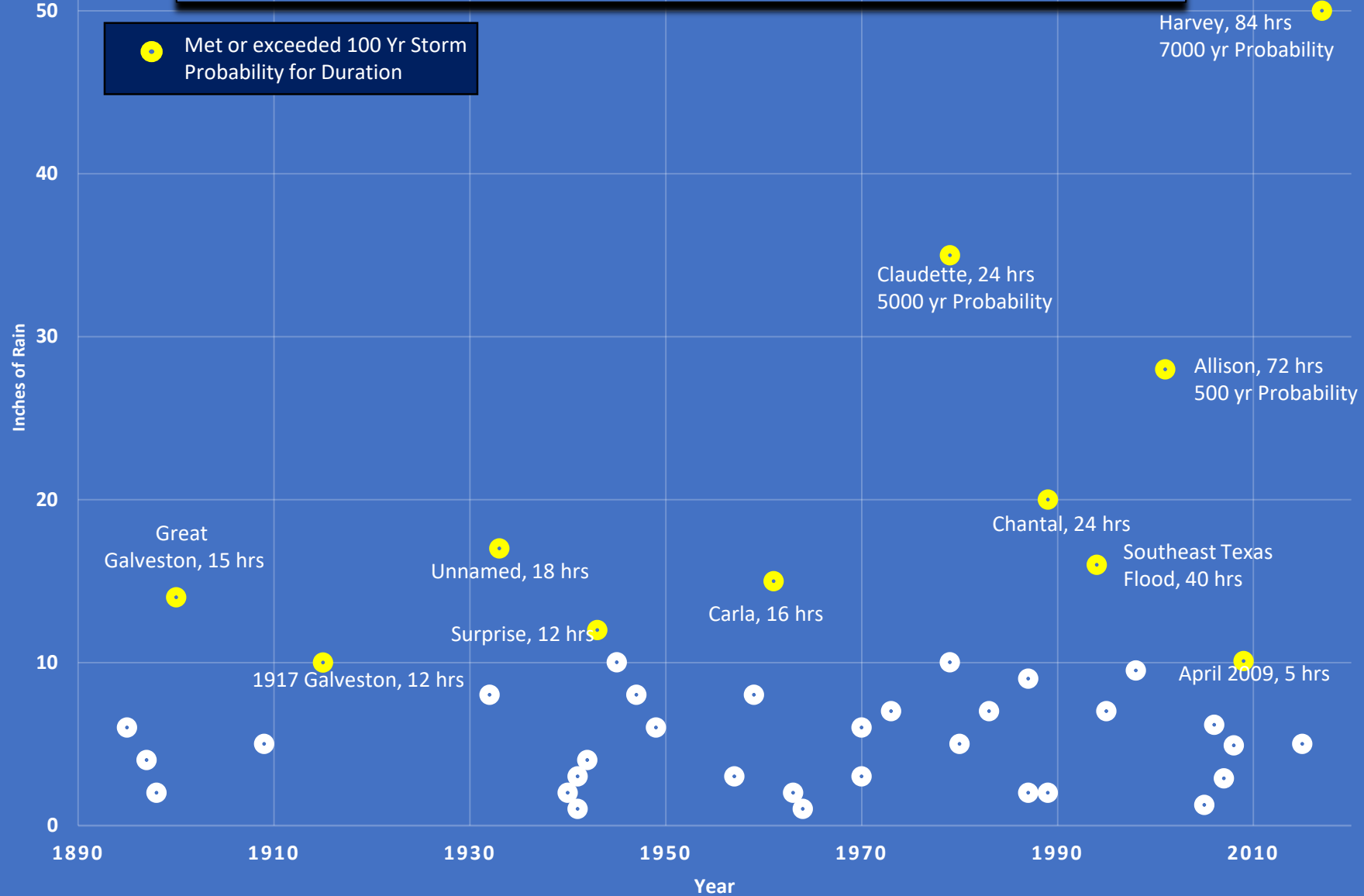
	WSEL Change (ft), Diversion Pt at Bay Area Blvd		
Location	10% Div	25% Div	50% Div
FM 2351	-0.02	-0.04	-0.07
Whispering Pines	-0.08	-0.18	-0.31
FM 528	-0.17	-0.37	-0.64
Bay Area Blvd.	-0.65	-1.54	-2.77
I-45	-0.68	-1.63	-3.03
Clear Lake	-0.40	-0.65	-0.67

What is an Observation

- It is a conclusion the team has reached basis its research, much of which has been presented to council already, and is supported by a majority of our team.
- Each Observation has multiple premises that help us reach the conclusion
- Observations can be in the area of mitigation projects, costs, implementation, political concerns, safety, and environmental....and more.
- To change an observation to something better one needs to attack the premises.
- From the Observations and Premises we have formulated recommendations.

Please Note: As we go through these we sometimes show reminder data but in most cases we assumed Council remembers things we have shown in the past. If something is confusing please ask.

HISTORICAL RAINFALL EVENTS FRIENDSWOOD, INCHES FELL ON CITY ADJUSTED FOR 2018 ATLAS 14 CHANGES



Observation 1

Friendswood experiences catastrophic flooding when the watershed receives rainstorms of 24 inches or more in less than two days.

Why Do We Say This?

- A. From previous chart....such storms are occurring more frequently than the published probabilities of 0.2% (500 yr.) in any given year.
- B. There have been three major storms (Claudette (1979), Allison (2001) and Harvey (2017) that have occurred in the last 40 years (Statistically at a 7.5% per year likelihood.)
- C. Storms of lesser severity can cause localized flooding but do not create the wholesale flooding of significant portions of the city.
- D. Further development of the watershed will exacerbate the effects of such storms or will cause smaller storms to have the same impact. Note the changes just in the last decade.

Observation 2

In Friendswood, and all other areas, flooding of Clear Creek occurs because enough water cannot either be stored upstream or drain fast enough to the ocean during storms as shown in Observation 1.

Why Do We Say This?

- A. Methods to reduce flooding:
 - 1) Reduce the amount of water entering Clear Creek in Friendswood during storms (DS)
 - 2) Increase the ability to flow water out of Clear Creek during storms (R).
- B. About 300,000 acre-feet of water came to Friendswood in Harvey. ~2/3 that in Allison and Claudette.
- C. Acquisition of property will be required to implement these options.
- D. In Harvey, tributaries in Friendswood were not restrictions but backed up when they couldn't exit to Clear Creek.

Observation 3

Over the last 80 years, the Clear Creek watershed has been significantly changed by humans for land use. This has altered the physics of the flow.

Why Do We Say This?

- A. Portions were straightened and widened to reclaim wetlands for farm use and later for residential areas.
- B. Some areas have not been altered and retain their natural unimproved watercourse such as we have in Friendswood.
- C. Clear Lake, is extensively developed at the outlets of the Clear Creek watershed to Galveston Bay.
- D. Again note the Lidar changes in just the last 10 years.

Observation 4

There are multiple jurisdictions in the Clear Creek watershed that pass water into Clear Creek without any further responsibility.

Why Do We Say This?

- A. The land mass of the jurisdictions that drain to Clear Creek in Friendswood is seven times the size of Friendswood.
- B. Jurisdictions generally apply a 1% storm criteria for land use which are not the type of storms that currently cause wholesale flooding. Some jurisdictions are beginning to make changes.
- C. There is no overall governing body although the current Clear Creek Watershed Steering Team has an advisory role.

Observation 5

Currently the City of Friendswood considers their role is to move water effectively from property owner boundaries to the nearest creek or drainage waterway to Clear Creek.

Why Do We Say This?

- A. This is consistent with other jurisdictions in the watershed.
- B. To the extent that the infrastructure exists.
- C. There are some areas or pockets of the city that flood in big storms, that shouldn't and may have a local drainage issue.

Observation 6

The City of Friendswood's general fund is inadequate to fund projects necessary to mitigate flooding of Clear Creek from the storms in question.

Why Do We Say This?

- A. The city is hampered by not having capital funds to support shared funding or pre-funding and payback projects.
- B. The city's yearly general fund is ~\$25M whereas mitigation projects could be an order of magnitude larger.
- C. Funding will be required from other sources and the city will be required to aggressively pursue this funding and be vocal about how funds are disbursed

Observation 7

Cities and areas that are successful in advancing flooding projects nationwide have built in a structure that ensures a Constancy of Purpose to create a long term strategy..

Why Do We Say This?

A. Review HCFCD, Rochester, MN, others studied, Cedar Rapids, Iowa, New Orleans...ect.

B. This is a deceptively important observation.

Observation 8

There are multiple Harvey related funding streams available (Federal, State, County). Some agencies (USACE, Harris County) have already been funded and projects in early stages of implementation. The impacts on Friendswood of these projects has not be adequately demonstrated to the Sub-Committee.

Why Do We Say This?

- A. Harris County had received direct Federal Funds. Other counties, including Galveston, have not received direct funds yet. It is currently not clear how the money will be shared.
- B. Friendswood has applied for Federal and State funding for property buy-outs but some have not been approved and some are pending.
- C. Projects are scheduled on areas like upstream Clear Creek in Pearland, Mud Gully, and Turkey Creek.
- D. Simulations results shared with the sub-committee were for 1% storms only. Sub-committee has requested USACE perform simulations on storms like Harvey but have not received the information yet.

Caveats of Observations

The Team Stayed within its Charter to examine flooding and fixes. There are a number of areas not addressed but some of the important ones are:

- A. Projects might have environmental impacts that will have to be addressed.
- B. Projects such as retention, detention, and terracing of Clear Creek may afford opportunities to create appealing benefits such as parks, sport fields, nature trails, etc.
 - The Sub-Team did not define the cost of this
 - This could be part of the presentation to voters regarding the bond

Recommendations

- Our recommendations are based on the data we collected and the observations we have shown both tonight and in previous report-outs to the City Council of Friendswood.
- Some recommendations attack multiple observations.
- We intend for all recommendations to be actionable by the Friendswood City Council if it so chooses.

Recommendation 1

The City of Friendswood City Council needs to clearly state, through a resolution, that the work of the sub-committee generates a cause for action to mitigate rainstorm flood events.

Why?

- A. Does the City Council of Friendswood agree that catastrophic flooding rainstorm events give cause for action? The back-up has been provided in all sub-committee presentations.
- B. A resolution would demonstrate commitment.
- C. The sub-committee can recommend wording but we believe the council can generate the wording they prefer

Recommendation 2

The City of Friendswood City Council accepts that there are a number of mitigation projects that need to be pursued to completion to significantly reduce flooding in Friendswood. These all involve the main stem of Clear Creek.

Why?

- A. The main stem of the creek is the problem. Tributaries flood by backing up.
- B. The methods to reduce flooding are either store more water, drain it faster, or remove structures from properties that flood.
- C. The mitigation is expensive and will take time to acquire matching funds, perform engineering, acquire rights-of-way, and implement the projects

Recommendation 3

Go to the Friendswood voters with a bond vote that would provide a cost share of \$32M in projects over the next 15 years. This money can ONLY be spent on drainage projects associated with the main channel of Clear Creek.

Why?

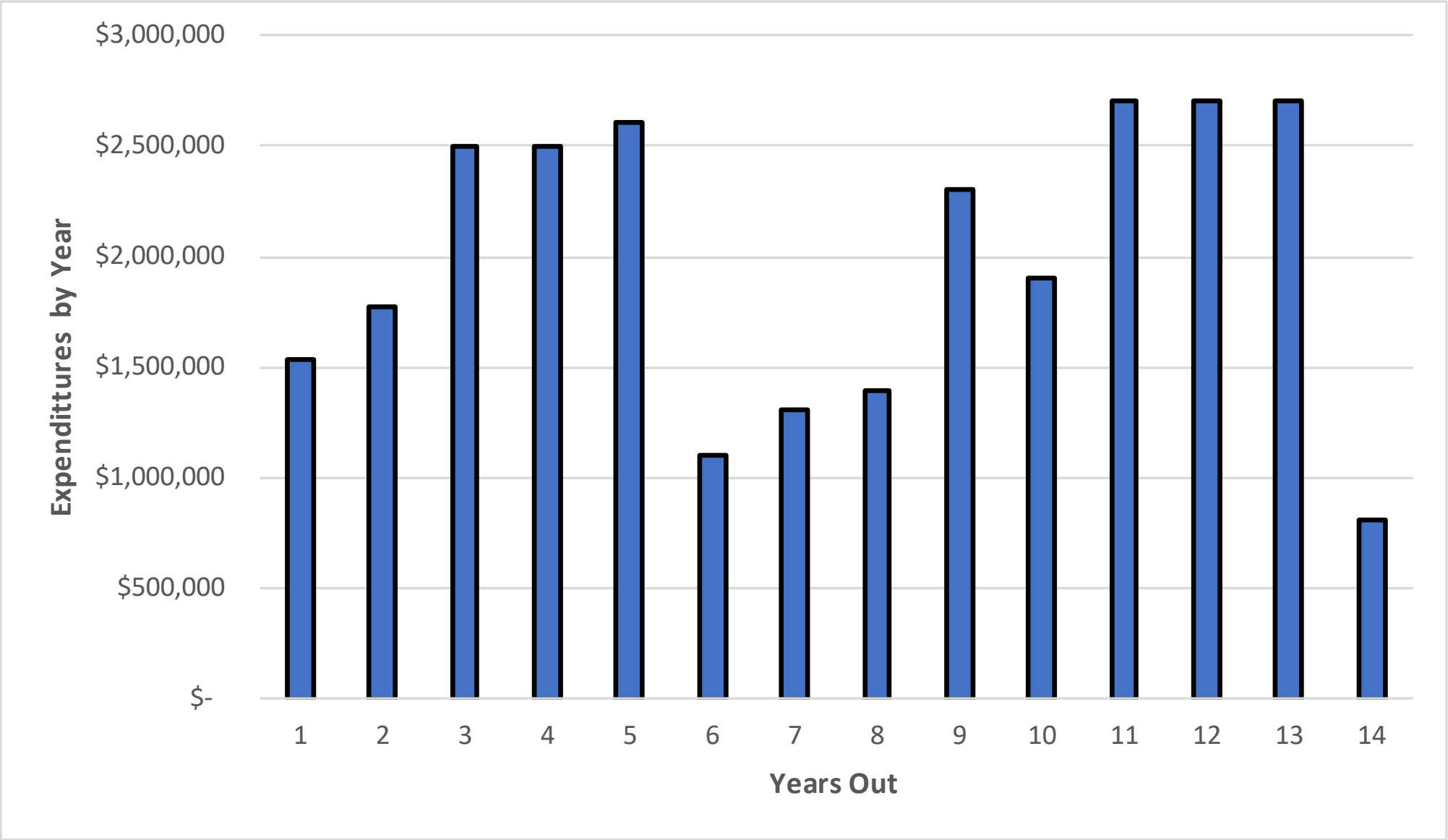
- A. The cost to complete the needed projects is much higher than the \$32M, but this amount allows us to leverage other funds available.
- B. Without having money to spend on flood projects Friendswood will be frozen out of consideration for many direct impact projects.
- C. Amount determined by the number of projects, their positive effects, their costs, expected percentage Friendswood would have to contribute and the time frame.
- D. Determine the net impact on taxes for bonds drawing over that period of time.
- E. Rely on Drainage districts to continue to work on tributaries.

Estimated Costs of Projects with the Best Benefit

#	Mitigation Tyes	Details	TOTAL COST	COF %	Cost to COF	Years to Complete
1	De-Snagging	200 ft	\$ 3,000,000	10%	\$ 300,000	2
2	Bridge/Road Raising	FM 2351 - East Edgewood Drive	\$ 20,000,000	10%	\$ 2,000,000	10
3	Bridge/Road Raising	FM 528 - East Parkwood Ave	\$ 20,000,000	10%	\$ 2,000,000	10
4	Terracing	Dixie Farm Road to FM 2351	\$ 28,000,000	20%	\$ 5,600,000	15
5	Terracing	FM 2351 to Whispering Pines Ave	\$ 22,000,000	20%	\$ 4,400,000	15
6	Terracing	Whispering Pines Ave to FM 528	\$ 10,000,000	20%	\$ 2,000,000	15
7	Terracing	FM 528 to West Bay Area Blvd	\$ 30,000,000	20%	\$ 6,000,000	15
8	Buy Outs	Associated with all Projects	\$ 30,000,000	25%	\$ 7,500,000	5
9	Engineering	Engineering and environmental Impact Studies	\$ 10,000,000	20%	\$ 2,000,000	4
		TOTAL -->	\$ 173,000,000	18%	\$ 31,800,000	

1. Costs based on engineering estimates for similar work.
2. While Dr. Bedient's work showed the FM2351 Bridge that while raising has a bigger impact, we believe for public safety two bridges should be elevated. But also note the terracing should reduce the flood heights which also help bridges stay passable

Estimated Spend Rate for Projects Listed



Recommendation 4

Hire a long term Clear Creek Watershed Drainage coordinator for in the City of Friendswood to create a long term strategy and a Constancy of Purpose

Why?

- A. Experience shows with government to ensure something gets done and to have a long term approach it has to be one person's clear job and that they are held accountable for progress.
- B. City Manager is responsible for defining the job description, hiring, and managing the performance toward the long term goals.
- C. The City Council should be very active in the progress of this work and expect routine reporting in Council meetings
- D. Needs to have a budget to successfully complete the project and continues the sub-committee work on mathematical simulations.
- E. Responsible for Clear Creek drainage project definition, spending, grant writing, interaction with other jurisdictions, and interaction with the public. .
- F. Monitors projects on Clear Creek and requires simulations that show the effect of these projects during storms sizes that flood Friendswood.

Recommendation 5

The City of Friendswood should review and change its current permitting criteria regarding drainage to reflect the realities of the types of storms that occur here.

Why?

- A. Design criteria for new construction at the 1% storm level are inadequate.
- B. Optimally this should be done in conjunction with other municipalities up and down the creek.
- C. Current existing structures would be grandfathered unless substantially altered.

Recommendation 6

The acquisition of properties will be required to adapt Clear Creek to meet the demand for drainage. The City of Friendswood will need to have the means to acquire properties for drainage projects.

Why?

- A. This is included in our calculations for the Bond needs
- B. Quick response to purchase damaged properties after a flood event
- C. Purchase of properties as they go on the market at any time.
- D. Unsolicited offers.
- E. Privately owned properties cannot be used for drainage projects.

Recommendation 7

The City of Friendswood needs to be proactive regarding the management of the flow of water down Clear Creek. The City of Friendswood should take the leadership role in organizing municipalities along Clear Creek to create a common purpose in fixing the creek.

Why?

- A. It is our citizens who flood.
- B. There are over a half dozen agencies involved in Clear Creek. Recognize the responsibilities of other entities and need to increase our presence to support these groups.
- C. The current master plan for the watershed needs improvement.
- D. Solutions have to involve land use and the larger cities on the watershed control this.
- E. As a city council reach out to other cities to initiate communications. Initial discussions with League City leadership indicate they are of a like mind on this.

Recommendation 8

There are currently several efforts to restructure watershed management being contemplated at the county and state level. The City Council needs to be active and participating in this and determining if these efforts will be beneficial to Friendswood and resisted if not.

Why?

- A. Generating watershed control systems can be hugely helpful so long as they are focused on the entire watershed, they are governed fairly, and they are resourced properly.
- B. Care should be given to ensure that changes do not reduce effective current drainage system.
- C. Until the Drainage Coordinator job is filled, Council should determine a method to evaluate changes coming from either the counties, or state.

Recommendation 9

The focus should entirely be toward the future. There is no justification to seek redress directed at upstream or downstream entities for the changes that have occurred along Clear Creek.

Why?

- A. Many of the significant alterations of the Creek were done a long time ago and continue to this day and will continue in the future.
- B. All municipalities comply with current laws and ordinances.
- C. State and Federal law would not support being successful in legal action
- D. Friendswood too has allowed development, including houses built right on the creek, that have also contributed to the problem.

Recommendation 10

There are small areas of Friendswood that flooded during Harvey that were not caused by Clear Creek. The city should be directed to research these and propose fixes.

Why?

- A. May require funding not part of bond capital which is dedicated to Clear Creek's main stem.
- B. This may require general funds to budget for and to perform the repairs.

Recommendation 11

For both flooding and safety during flooding events, greatly increase the monitoring of creeks in Friendswood. There are blind spots on Clear Creek and tributaries in Friendswood regarding inundation levels and rain gauges. This affects safety and the ability to give first alerts to issues. Add more of these in critical areas.

Why?

- A. Work with the flood control districts to increase the number in critical areas.
- B. These instruments can give valuable real time data in storms that can trigger local or large evacuations and later rescue work.
- C. The information is valuable in later analysis of what occurred during storms of all levels.
- D. Consider adding flow rate sensors and video monitoring at critical spots.
- E. All this information should be available to the Friendswood Emergency Operations Command Center and available to the public in real time.

Summary of Actions for Council Needed Tonight

1. **The Sub-Team should present information to the Bond Citizen's Advisory team about the bond portions of the recommendations.**
 - A. This should be done soon!
 - B. Do we have Council's permission to do this?
 - C. If so, what instructions should be relayed to the Advisory team about this information and their ability to interact with it?
2. **The Drainage Sub-Committee as met its original charter to make recommendations back to the city council that are fact-based only and include project types, costs, societal impacts, and political obstacles.**
 - Originally expected to make recommendations back within 6 months.....it took us 8 months! But at least we were faster than the Mueller report!
 - Will be producing a written report capturing all the information gained for posterity.
 - There is on-going work with Dr. Bedient's group to further define project effects and this will continue for some time. Options:
 - Staff could keep this moving.
 - Council could re-charter the current team to do this work
 - Council could charter a new sub-committee to continue this work

Summary of Actions Needed in the Next Few Months

- Recommendation 1 Does Council agree with the overall findings and recommendations and will they generate a resolution to that?
- Do they support the Bond numbers for Drainage?
- Develop plan and budgeting for Clear Creek Drainage coordinator
- To city staff and P&Z on whether to review permitting requirements in light of Subcommittee data.
- Focus for staff on buy out programs which will be taken over by drainage coordinator.
- Have already had discussions with League City leadership and they are interested in linking up with Friendswood regarding Clear Creek.
- Ask staff to keep council up-to-date on watershed bills in the legislature
- Ask staff to create a plan and budget for 2019-20 for isolated drainage area repairs.
- Work with Drainage districts to submit plan and cost sharing for improvements to measurement of the creek.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 3, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed Amendments to Resolution 2010-09, Planning and Zoning Rules of Procedure

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: Resolution

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

In conjunction with changing the public hearing process from joint public hearings to separate public hearings, the Planning and Zoning Commission is also proposing to change their regular meeting days from the 1st and 3rd Thursdays to the 2nd and 4th Thursdays to reduce the dead time between P&Z's public hearing date and Council's public hearing date. The Commission will hold all public hearings on the second Thursday of the month. This will allow a second chance to consider an item at the meeting on the fourth Thursday, if necessary, and still provide the required recommendations to City Council.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Changing the meeting days will reduce the wait time between Planning and Zoning's public hearing and City Council's public hearing.

RECOMMENDATIONS

The Planning and Zoning Commission voted unanimously (4 to 0; Commissioners Banfield, Clark and Lundquist were absent) at the regular meeting on Thursday, April 18 in favor of the proposed amendment.

ATTACHMENTS

[Resolution](#)

[PZ Recommendation Memo](#)

RESOLUTION NO. R2019-15

**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. R2010-09.**

* * * * *

**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 ~~first and third~~ **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.

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 18th day of April, 2019.

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 6th day of May, 2010.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary

Memo

To: Mayor and City Council

From: Joe Matranga, P&Z Chairman



Date: April 22, 2019

Re: Proposed amendments to Resolution 2010-09 Planning and Zoning Rules of Procedure to change meeting days from first and third Thursdays to second and fourth Thursdays

At the Planning and Zoning Commission meeting held April 18, 2019, the City of Friendswood Planning and Zoning Commission voted unanimously 4 to 0 (Commissioners Banfield, Clark, and Lundquist were absent) to approve the proposed change referenced above.

This proposed change is in conjunction with changing from joint public hearings to separate public hearings in order to reduce the processing time between the Planning and Zoning public hearing and the City Council public hearing.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: 05/06/19

Date Submitted: 04/26/19

Dept. Clearances: Melinda Welsh

Prepared by: Melinda Welsh

Subject: Galveston County Health District United Board of Health appointments/
reappointments – R2019-16

Originating Department: City Secretary's Office

Proceeding: Resolutions

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: N/A Amount Budgeted: N/A

Appropriation Required: N/A Source of Funds: N/A

FINANCE APPROVAL:

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

The Galveston County United Board of Health is a thirteen (13) member board whose members are nominated by the Galveston County Commissioner's Court and ratified by a majority of member cities. The Board is responsible for setting policies and fees for the Galveston County Health District for the provision of services outlined in the interlocal agreement between member governments and regarding other essential public health functions defined in State statute.

This request is to approve resolution R2019-16, which endorses the reappointment of 4 members and 1 new member to the Galveston County United Board of Health.

The nominees with a term from May 01, 2019 – April 30, 2021, for reappointment are Holly Lilley – Food Service, Della Grusendorf Brown – Registered Nurse, Eric Froeschner – Citizen at Large, John Hackbarth, DDS – Dentist, and new appointment of Dr. Annette Jenkins – Citizen at Large.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

A vote for representation on the Galveston County United Board of Health.

RECOMMENDATIONS

ATTACHMENTS

[R2019-16](#)

[Galveston County Health District Letter](#)

RESOLUTION NO. R2019-16

**A RESOLUTION OF THE CITY OF FRIENDSWOOD,
TEXAS, GALVESTON/HARRIS COUNTIES, ENDORSING
THE REAPPOINTMENT OF FOUR (4) MEMBERS AND
APPOINTMENT OF ONE (1) NEW MEMBER TO THE
GALVESTON COUNTY UNITED BOARD OF HEALTH.**

* * * * *

WHEREAS, the 13 members of the Galveston County United Board of Health are nominated by the Galveston County Commissioners' Court and are confirmed by the member governments of the Health District; and

WHEREAS, the City of Friendswood is a member government of the Health District; and

WHEREAS, the reappointment of four (4) members and new appointment of one (1) member are under consideration; and

WHEREAS, the Galveston County Commissioners' Court has made its nominations and presented them to the City of Friendswood for confirmation;

NOW, BE IT THEREFORE RESOLVED, that the City Council of the City of Friendswood confirms and endorses the following reappointments and appointment to the Galveston County United Board of Health, for the following members:

Nominees with a term from May 01, 2019 – April 30, 2021

Holly Lilley – Food Service (reappointment)
Della Grusendorf Brown – Registered Nurse (reappointment)
Eric Froeschner – Citizen at Large (reappointment)
John Hackbarth, DDS – Dentist (reappointment)
Dr. Annette Jenkins – Citizen at Large (new appointment)

PASSED, APPROVED AND RESOLVED, this the 6th day of May, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary

Ben G. Raimer, MD
Chair, United Board of Health

Philip Keiser, MD
Local Health Authority



Kathy Barroso, CPA
Chief Executive Officer



TO: Mayors and City Council Members of Member Cities

FROM: Kathy Barroso, CPA
Chief Executive Officer *KB*

DATE: April 26, 2019

SUBJECT: United Board of Health Appointments & Re-Appointments

In accordance with the Health District Interlocal Agreement executed December 2002, the Commissioners' Court of Galveston County will submit member governments nominees for United Board of Health positions. Approval by a majority of the member governments is required to confirm appointment of each board member.

On Monday, April 8, the Commissioners' Court nominated the following:
Term will be May 1, 2019 – April 30, 2021

<u>Name</u>	<u>Represents</u>
Holly Lilley	Food Service (re-appointment)
Della Grusendorf Brown	Registered Nurse (re-appointment)
Eric Froeschner	Citizen at Large (re-appointment)
John Hackbarth, DDS	Dentist (re-appointment)
Dr. Annette Jenkins	Citizen at Large (new appointment)

Please consider this request at your next City Council meeting and return a copy of the signed resolution by mail, fax or email to Amanda Wolff, Executive Office Coordinator/Assistant to CEO, P.O. Box 939, La Marque, TX 77568 (409)-938-2273 or awolff@gchd.org. For your convenience a draft resolution and information on members are attached. If you have any questions, please feel free to contact Amanda Wolff or myself at (409) 938-2273.

Attachments

Public Health Services · Coastal Health & Wellness · Emergency Medical Services · Animal Resource Center
The Galveston County Health District (GCHD) is the local public health agency for Galveston County, Texas. GCHD provides services and programs that protect the everyday health and well-being of Galveston County.

P.O. Box 939 La Marque, Texas 77568 • (409) 938-7221

www.gchd.org



RESOLUTION

STATE OF TEXAS

COUNTY OF GALVESTON

WHEREAS, members of the Galveston County United Board of Health are nominated by the Galveston County Commissioners' Court and confirmed by the Member Governments of the Health District, and

WHEREAS, the appointment of members are under consideration, and

WHEREAS, the Galveston Commissioners' Court has made its nominations,

NOW BE IT THEREFORE RESOLVED that this body endorses the following appointments:

Term will be May 1, 2019 – April 30, 2021

<u>Name</u>	<u>Represents</u>
Holly Lilley	Food Service (re-appointment)
Della Grusendorf Brown	Registered Nurse (re-appointment)
Eric Froeschner	Citizen at Large (re-appointment)
John Hackbarth, DDS	Dentist (re-appointment)
Dr. Annette Jenkins	Citizen at Large (new appointment)

ATTEST:

City Secretary

Mayor

DR. ANNETTE JENKINS

7318 Mallard Drive
Texas City, Texas 77591
(409) 938-0645
mjenkins2443@comcast.net

CAREER PROFILE

Licensed pharmacist in Texas with a PharmD degree and forty five years of experience providing excellent pharmacy services in a hospital setting. Outstanding interpersonal skills with a track record of establishing positive relationships with customers, pharmaceutical representatives/manufacturers, healthcare organizations, medical professionals, Texas State Board of Pharmacy, and Schools of Pharmacy in Texas. Respected leader and Pharmacy Director of two major hospitals who has trained and manage diverse teams to deliver peak performance. Dedicated to providing quality patient care to meet national accreditation standards.

CAREER EXPERIENCE

- | | |
|--------------------|---|
| 05. 1996 - 01.2014 | Mainland Medical Center-Texas City, Texas
Pharmacy Director |
| 08. 1993 - 05.1996 | Assistant Pharmacy Director |
| 08. 1982 - 08.1993 | Danforth Hospital-Texas City, Texas
Pharmacy Director |
| 10. 1980 - 05.1982 | Assistant Director |
- Manage ancillary staff of thirty employees 24 hours/7 days a week. Consult with physicians and patients with regard to medication dosage, drug interactions, patient education, disease management and potential side effects of prescriptions and OTC medications.
 - Responsible for the day to day operation of the pharmacy department, scheduling staff, contract compliance, training staff, maintain adequate drug supply according to approved drug formulary, and ensuring patient safety at all times. Dispense and compound prescriptions, and maintain accurate patient records, dosing information and directions for use. Keep abreast of new developments within the pharmaceutical industry.

KEY STRENGTHS

- Robotic automation of Central Pharmacy
- Process improvement/automation for nursing floor by implementation of the Pyxis system.
- Recognized as Director of the Year for Mainland Medical Center 2005
- Recognized as recipient of the HCA Frist Humanitarian award for 2005
- Implemented Clinical programs such as ICU/CCU Clinical rounding, Medication safety, antibiotic monitoring, and stroke program.
- Drug contracts and Budget management skills
- Staff training (Nursing and Pharmacy staff)
- Member and patient advocate for patient rounding team
- Member of team to implement Pharmacy technician programs at College of Mainland and San Jacinto College
- Chairman of the COM Pharmacy technician Committee for several years
- Preceptor for Pharmacy students at TSU, UH, UT campuses
- Maintained JCAHO accreditation standards for Pharmacy department

- Maintained Texas State Board of Pharmacy Rules and Regulations

EDUCATION

08.2002 **University of Florida**
Pharm D. Degree in Pharmacy

08.1971 **University of Texas at Austin**
B.S. Degree in Pharmacy

Licensed to practice Pharmacy in the State of Texas #19537

AREAS OF EXPERTISE

- Pharmaceutical Operations
- Prescription Dispensing/Compounding
- Customer Relationship Management
- Inventory Control
- Vendor Relations/Negotiations
- Formularies
- Clinical Applications
- Product Safety/Quality Assurance
- Health promotion and public speaking on Medication Safety
- Patient Counseling
- Staff training and policy development
- Chairman of Pharmacy and Therapeutics Committee



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Zone change request from Single Family Residential (SFR) to Planned Unit Development (PUD)

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: 2nd reading of Ordinance

Degree of importance: Critical ☐ Significant ☐ Elective ☐

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Meta Planning + Design, on behalf of Taylor Morrison Homes and the property owners, is requesting Planned Unit Development (PUD) zoning in order to develop a new 206 home private, gated subdivision consisting of a variety of 60 to 90 foot lots.

The Avalon at Friendswood PUD would be located on a $\pm$ 116 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 by the future Friendswood Lakes Boulevard and 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 Boulevard, and the remainder of the tract is currently undeveloped.

The developer will be required to provide on-site detention. Stormwater detention requirements and utility installation will be subject to the City of Friendswood Design Criteria Manual.

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 for Avalon at Friendswood subdivision.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The Future Land Use Map identifies this property as Low Density in accordance with the zoning that is currently assigned to the property, as well as, the proposed zone change.

RECOMMENDATIONS

The Planning and Zoning Commission voted 4 to 3 at the regular meeting held Monday, March 21, 2019 to recommend the zone change.

ATTACHMENTS

[Ordinance](#)

[Exhibit A](#)

[Exhibit B](#)

[PZ Recommendation Memo](#)

(Title: An ordinance amending the zoning classification for a tract or parcel containing 115.998 acres located along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) to Planned Unit Development (PUD) for a residential development, “Avalon at Friendswood”, as more fully described herein.)

ORDINANCE NO. T2019-11

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FRIENDSWOOD, TEXAS, APPENDIX C – “ZONING,” BY AMENDING THE ZONING CLASSIFICATION FOR A TRACT OR PARCEL CONTAINING 115.998 ACRES OF LAND ALONG THE FUTURE FRIENDSWOOD LAKES BOULEVARD BETWEEN WEST RANCH AND FRIENDSWOOD LAKES SUBDIVISIONS, FRIENDSWOOD, GALVESTON COUNTY, TEXAS, TO CHANGE FROM SINGLE FAMILY RESIDENTIAL (SFR) TO PLANNED UNIT DEVELOPMENT (PUD) FOR A RESIDENTIAL DEVELOPMENT, “AVALON AT FRIENDSWOOD”, CONSISTING OF THE FOLLOWING TRACTS: 1) 87.774 ACRES, MORE OR LESS, BEING A PORTION OF A CALLED 96.944 ACRES TRACT IN THE MARY FABREAU SURVEY, ABSTRACT NO. 69 IN GALVESTON COUNTY, FRIENDSWOOD, TEXAS, SAVE AND EXCEPT A 9.170 ACRE PORTION OF THE SAME TRACT; AND 2) 28.2240 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, FRIENDSWOOD, GALVESTON COUNTY, TEXAS; AMENDING THE ZONE CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (SFR) TO PLANNED UNIT DEVELOPMENT (PUD) FOR A RESIDENTIAL DEVELOPMENT, “AVALON AT FRIENDSWOOD”; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, Constance Cleaves Brakebill, Catherine Mahon, Virginia P. Cleaves, Wilbur R. Cleaves, Melissa Cleaves Benson, and Cypress Creek Holdings Ltd., acting by and through

Janet Cleaves Acord, are the Owners of an 87.774 acre parcel of land, being a portion of a called 96.944 acre tract in the Mary Fabreau Survey, Abstract No. 69 in Galveston County, Friendswood, Texas, save and except a 9.170 acre portion of the same tract; and Yellowstone Hill Country Ranching LLC, acting by and through Charles Gregory Evans, is the owner of 28.2240 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 in Clerk’s file number 2010059686 of the Galveston County Deed Records, Galveston County, Friendswood, Texas, (the “Property”) is also depicted in Exhibit “A” incorporated herein by reference, including warranty deeds, surveys and metes and bounds descriptions, location map, zoning map and aerial map; and

WHEREAS, the Owners previously made application to the City to change the zoning classification of the Property from Single Family Residential (SFR) to Planned Unit Development (PUD) to allow for a private, gated residential development with varying lot sizes, to be known as Avalon at Friendswood pursuant to the PUD document, area map and schematic development plan attached hereto included in Exhibit “B”; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the City Code of Ordinances, a public hearing on such request, allowing all persons attending to be heard on the question of whether the changes of the uses being requested would affect the public health, safety, or general welfare of the citizens of Friendswood; and

WHEREAS, the Planning and Zoning Commission has filed its written report with City Council, which recommends _____ of the application, subject to any certain conditions made the subject of said recommendation; and

WHEREAS, the City Council deems it appropriate to grant such request, subject to applicable regulations, restrictions, exceptions and conditions; and

WHEREAS, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct and incorporated by reference, including the representations of Applicant, (as referenced in its Zone Change Application), the final report from the Planning & Zoning Commission, and the minutes of City Council, which City Council is specifically relying upon in adopting this Ordinance, as provided hereafter.

Section 2. The Friendswood City Code, Appendix C, “Zoning,” Section 3, “Provision for Official Zoning Map,” is hereby amended, rezoning the Property identified in the attached Exhibit “A”, from Single Family Residential (SFR) to Planned Unit Development (PUD), but otherwise consistent and subject to the current Zoning Code, and related conditions contained therein. This rezoning is specifically conditioned upon Owner’s full compliance with Appendix C, Zoning Ordinance, Section 7. “Schedule of District Regulations,” J. “Planned Unit Development, General Purpose and Description,” paragraph 7.c.2 (Option 2).

Section 3. The Official Zoning Map of the City of Friendswood shall be revised and amended to show the designation of the Property, as described and as provided in Section 2 above, with the appropriate reference thereon to the number and effective date of this Ordinance, and a brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement or revise any provision of any ordinance of the City of Friendswood, save and except the change in zoning

classification of said Property as conditioned and described above.

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

PASSED AND APPROVED on first reading this 4th day of March, 2019.

PASSED, APPROVED, and ADOPTED on second and final reading this 1st day of April, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary

Exhibit “A”

1. Applications
2. Property Deeds
3. Metes and Bounds Descriptions
4. Aerial Map
5. Location Map
6. Zoning Map

Exhibit “B”

1. Avalon at Friendswood PUD document
2. Exhibit A – Area Map
3. Exhibit B – Schematic Development Plan



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

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: Constance Cleaves Brakebill Phone: 281-7314201Owner's Mailing Address: 204 WoodlawnCity: Friendswood State: TX Zip: 77546 Fax: _____Owner's Email Address: constancebrakebill@gmail.comAGENT'S NAME : META Planning + Design Phone: 281-810-1422 ext 105Agent's Mailing Address: 24275 Katy Freeway, Suite 200City: Katy State: TX Zip: 77494 Fax: _____Agent's Email Address: Kathryn Parker - kedwards@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: Constance Cleaves Brakebill Date: 12/28/2018Agent's Signature: Kathryn Parker Date: 1/23/19

Received By: B Sumner
 Date of Public Hearing: 3-4-19
 Property Owner Notices: 2-22-19

Application Number: PLAN-2018-0002
 Received Date: 1-28-19
 Newspaper Notice: 2-11-19
 Sign on Property: 2-22-19



City of Friendswood – Community Development

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Zone Change Application

CURRENT ZONE OF PROPERTY: SFR

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: Catherine Mahon Phone: 908-200-5820

Owner's Mailing Address: 90 Alton Rd. 3001

City: Miami Beach State: FL Zip: 33139 Fax: _____

Owner's Email Address: Catherine.mahon@gmail.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 - kedwards@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: Catherine Mahon Date: 1/22/2019

Agent's Signature: Kathryn Parker Date: 1/23/19

Received By: <u>BSummers</u>	Application Number: <u>PLAN-2018-0002</u>
Date of Public Hearing: <u>3-4-19</u>	Received Date: <u>1-28-19</u>
Property Owner Notices: <u>2-22-19</u>	Newspaper Notice: <u>2-11-19</u>
	Sign on Property: <u>2-22-19</u>



City of Friendswood – Community Development

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Zone Change Application

CURRENT ZONE OF PROPERTY: SFR

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: Virginia P. Cleaves Phone: 214-801-5594

Owner's Mailing Address: 13500 Golden Wave Loop

City: Austin State: TX Zip: 78738 Fax: _____

Owner's Email Address: virginia.cleaves@sbcglobal.net

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 - kedwards@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: Virginia P. Cleaves Date: Jan 16 2019

Agent's Signature: Kathryn Parker Date: 1/23/19

Received By: <u>B Sumner</u>	Application Number: <u>PLAN-2018-0002</u>
Date of Public Hearing: <u>3-4-19</u>	Received Date: <u>1-28-19</u>
Property Owner Notices: <u>2-22-19</u>	Newspaper Notice: <u>2-11-19</u>
	Sign on Property: <u>2-22-19</u>



Zone Change Application

CURRENT ZONE OF PROPERTY: SFR

TYPE OF ZONE CHANGE (check one):

☐ Land Use Change to Zone: _____

☐ Planned Unit Development Option 1

☒ Planned Unit Development Option 2

☐ Specific Use Permit Option 1

☐ Specific Use Permit 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: Wilbur R. CLEAVES Phone: 361 815 0302

Owner's Mailing Address: 241 Rosebud Av

City: Corpus Christi State: TX Zip: 78404 Fax: ~~1-361~~ 1-361-8845554

Owner's Email Address: <tedCLEAVES@yahoo.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 - kedwards@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: Wilbur R. Cleaves Date: 1/17/19

Agent's Signature: Kathryn Parker Date: 1/23/19

Received By: <u>B Sumner</u>	Application Number: <u>PUAD-2018-0002</u>
Date of Public Hearing: <u>3-4-19</u>	Received Date: <u>1-28-19</u>
Property Owner Notices: <u>2-22-19</u>	Newspaper Notice: <u>2-11-19</u>
	Sign on Property: <u>2-22-19</u>



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Zone Change Application

CURRENT ZONE OF PROPERTY: SFR

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: MELISSA CLEAVES BENSON Phone: 214 450-5219

Owner's Mailing Address: 10058 CIRCLEVIEW DRIVE

City: AUSTIN State: TX Zip: 78733 Fax: _____

Owner's Email Address: melissabenson20@gmail.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 - kedwards@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: Melissa Benson Date: 1-20-19

Agent's Signature: Kathryn Parker Date: 1/23/19

Received By: B Sumner
Date of Public Hearing: 3-4-19
Property Owner Notices: 2-22-19

Application Number: PLAN-2018-0002
Received Date: 1-28-19
Newspaper Notice: 2-11-19
Sign on Property: 2-22-19



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

TYPE OF ZONE CHANGE (check one):

☐ Land Use Change to Zone: _____

☐ Planned Unit Development Option 1

☒ Planned Unit Development Option 2

☐ Specific Use Permit Option 1

☐ Specific Use Permit 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: Cypress Creek Holdings, Ltd. Phone: 281-220-9356

Owner's Mailing Address: 614 Lindenwood Dr.

City: Houston State: TX Zip: 77024 Fax: _____

Owner's Email Address: dirchweems@comcast.net

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 - kedwards@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: Dirch And Weems, Pres. of Date: 1/16/19

Agent's Signature: Kathryn Parker Date: 1/23/19

Received By: BSummers
Date of Public Hearing: 3-4-19
Property Owner Notices: 2-22-19

Application Number: PLAN-2018-0002
Received Date: 1-28-19
Newspaper Notice: 2-11-19
Sign on Property: 2-22-19



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

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: Yellowstone Hill Country Ranching Phone: 281 850 6755

Owner's Mailing Address: 7670 Woodway Drive Suite 162

City: Houston State: TX Zip: 77063 Fax: _____

Owner's Email Address: _____ adam@hillhubbarddevelopment.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 - kedwards@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: _____ Date: Jan 09, 2019

Agent's Signature: _____ Date: Jan 09 2019

Received By: B Summers

Date of Public Hearing: 3-4-19

Property Owner Notices: 2-22-19

Application Number: PLAN-2018-0062

Received Date: 1-28-19

Newspaper Notice: 2-11-19

Sign on Property: 2-22-19

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.

TRUSTEES' SPECIAL WARRANTY DEED

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

Constance Cleaves Brakebill as Trustee of the CONSTANCE CLEAVES BRAKEBILL NONEXEMPT TRUST II, Constance Cleaves Brakebill as Trustee of the CONSTANCE CLEAVES BRAKEBILL 1993 NONEXEMPT TRUST, and Constance Cleaves Brakebill as Trustee of the CONSTANCE CLEAVES BRAKEBILL 1993 EXEMPT TRUST ("Grantors") for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by CONSTANCE CLEAVES BRAKEBILL ("Grantee"), the receipt and sufficiency of which is hereby expressly acknowledged and confessed, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto Grantee all of Grantors' interest in and to all real property owned by Grantors in Galveston County, Texas, including but not limited to the following described property together with the same interest in all improvements situated thereon, ("Subject Property"):

See Exhibit "A" attached hereto and made a part hereof.

Grantors do hereby convey the properties described above, together with all rights, titles and interests of Grantors in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, minerals, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term "Subject Property" shall refer to and include the property described in this paragraph.

The conveyance made hereby and the warranties (if any) made hereunder are made by Grantors and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all leases, restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if any, relating to the

FILED AND RECORDED

Instrument Number: 2018062322

Recording Fee: 38.00

Number Of Pages:5

Filing and Recording Date: 10/15/2018 2:23PM

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.*



2011019071

5 PGS

SPECIAL WARRANTY DEED

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

STATE OF TEXAS X

X KNOW ALL PERSONS BY THESE PRESENTS

COUNTY OF GALVESTON X

THAT JANET CLEAVES ACORD, Janet Cleaves Acord as Trustee of the JANET CLEAVES ACORD NONEXEMPT TRUST II, Janet Cleaves Acord as Trustee of the JANET CLEAVES ACORD 1993 EXEMPT TRUST, and Janet Cleaves Acord as the Trustee of the 1993 NONEXEMPT TRUST (hereinafter referred to as "Grantors"), for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00) cash and other good and valuable consideration in hand paid by the below mentioned GRANTEE, the receipt and sufficiency of which is hereby expressly acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto CYPRESS CREEK HOLDINGS, LTD., a Texas limited partnership, (herein referred to as "Grantee") the following undivided interests in all of Grantors' interest in and to the real property more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Subject Property")

Grantors do hereby convey the Subject Property together with all rights, titles and interests of Grantors in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, minerals, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term "Subject Property" shall refer to and include the property described in this paragraph.

The conveyance made hereby and the warranties (if any) made hereunder are made by the Grantors and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all leases, restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's heirs, executors, administrators, successors and assigns forever, and Grantors do hereby bind Grantors and Grantors' successors and assigns to warrant and forever defend all and singular the Subject

Property, to the extent conveyed hereby, unto Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through and under Grantor, but not otherwise

Current ad valorem taxes on the Subject Property are assumed by the Grantee.

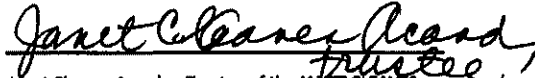
GRANTORS

JANET CLEAVES ACORD

A handwritten signature in cursive script that reads "Janet Cleaves Acord". The signature is written in black ink and is positioned above the printed name.

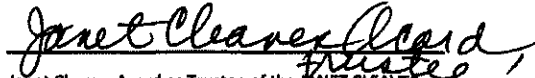
Janet Cleaves Acord

Janet Cleaves Acord as Trustee of the JANET CLEAVES
ACORD TRUST II

A handwritten signature in cursive script that reads "Janet Cleaves Acord" with the word "trustee" written in smaller cursive below the main signature.

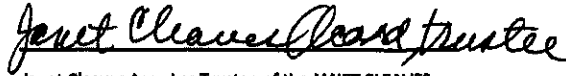
Janet Cleaves Acord as Trustee of the JANET CLEAVES
ACORD TRUST II

Janet Cleaves Acord as Trustee of the JANET CLEAVES
ACORD 1993 EXEMPT TRUST

A handwritten signature in cursive script that reads "Janet Cleaves Acord" with the word "trustee" written in smaller cursive below the main signature.

Janet Cleaves Acord as Trustee of the JANET CLEAVES
ACORD 1993 EXEMPT TRUST

Janet Cleaves Acord as Trustee of the JANET CLEAVES
ACORD 1993 NONEXEMPT TRUST

A handwritten signature in cursive script that reads "Janet Cleaves Acord trustee". The signature is written in black ink and is positioned above the printed name and trust information.

Janet Cleaves Acord as Trustee of the JANET CLEAVES
ACORD 1993 NONEXEMPT TRUST

Address of Grantee

Cypress Creek Holdings, Ltd.

614 Lindenwood Drive

Houston, Texas 77024

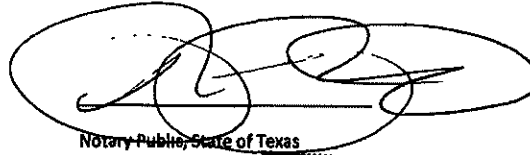
STATE OF TEXAS X

 X

COUNTY OF HARRIS X

BEFORE ME, the undersigned authority, on this day personally appeared JANET CLEAVES ACORD, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed, in the capacities therein stated

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11 day of April 2011.


Notary Public, State of Texas

After recording, please return to:

↓ Dinah Weems

614 Uddenwood Drive

Houston, Texas 77024



EXHIBIT "A"

Being all that certain tract or parcel of land out of the Mary Fabreau Survey, Abstract No. 69, in Galveston County, Texas and being more fully described by metes and bounds as follows:

BEGINNING at the Northeast corner of a tract of 100 acres set aside to Peter Darras, Sr , by Deed dated September 29, 1880, and recorded in Volume 35, Pages 452-54, in the office of the County Clerk of Galveston County, Texas, said point being on the Northeasterly line of the Mary Fabreau Survey and the Southwesterly line of the J R Williams Survey,

THENCE from said beginning point South 43 degrees, 35 minutes West along and with the Southeasterly line of said Peter Darras, Sr tract, a distance of 1077 varas (2991.67 feet) said point being on the Northwesterly line of the Peter Darras, Jr tract, as said tract was set aside to Peter Darras, Jr. by Deed dated September 29, 1880, and recorded in Volume 35, Pages 454-56 in said County Clerk's office,

THENCE South 46 degrees, 25 minutes East along the Northeasterly line of said Peter Darras, Jr tract, a distance of 764 varas (2122.22 feet) to a point for corner of the Southeasterly line of said Mary Fabreau Survey;

THENCE North 43 degrees, 35 minutes East along the Southeast line of said Survey a distance of 335 varas (930.56 feet) to the Easterly line of said Fabreau Survey, said point being also on the West line of the John Dickinson Survey;

THENCE North 1 degree, 25 minutes West along the Easterly line of said Fabreau Survey, same being the Westerly line of said Dickinson Survey, a distance of 1050 varas (2916.67 feet) to the most Southerly corner of the said J.R. Williams Survey;

THENCE North 46 degrees, 25 minutes West along the dividing line between said Fabreau Survey and J R Williams Survey to the PLACE OF BEGINNING, containing 97.00 acres of land, more or less.

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Dwight D. Sullivan 2011019071

April 14, 2011 01 27 31 PM

FEE \$32.00

Dwight D. Sullivan, County Clerk
Galveston County, TEXAS

SPECIAL WARRANTY DEED

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

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

THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand paid by CONSTANCE CLEAVES BRAKEBILL, as Trustee of the CONSTANCE CLEAVES BRAKEBILL 1993 NONEXEMPT TRUST (hereinafter referred to as "Grantee"), the receipt and sufficiency of which is hereby expressly acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee an undivided 10 0612% of Grantor's undivided one-half (1/2) interest in and to the property described on Exhibit "A" attached hereto and by this reference incorporated herein for all purposes, together with all improvements situated thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, minerals, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term "Subject Property" shall refer to and include the property described in this paragraph.

The conveyance made hereby and the warranties (if any) made hereunder are made by the Grantor and accepted by Grantee subject to the following matters, to the extent same are in effect at this time any and all leases, restrictions, covenants,

conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through and under Grantor, but not otherwise

Current ad valorem taxes on the Subject Property are assumed by the Grantee.

GRANTOR

WILBUR S. CLEAVES FAMILY LIMITED
PARTNERSHIP

By 
Wilbur R. Cleaves, Managing Partner

Address of Grantee:
Constance Cleaves Brakebill, Trustee
204 Woodlawn Drive
Friendswood, Texas 77546

THE STATE OF TEXAS
COUNTY OF Harris

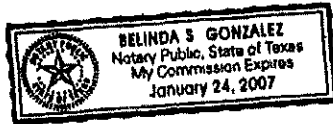
§
§
§

BEFORE ME, the undersigned authority, on this day personally appeared WILBUR R CLEAVES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated

July GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 21 day of July, 2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW

Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After recording, please return to: PAID
Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

0475309 01
004092-000000

Exhibit "A"

Being all that certain tract or parcel of land out of the Mary Fabreau Survey, Abstract No 69, in Galveston County, Texas, and being more fully described by metes and bounds as follows

BEGINNING at the Northeast corner of a tract of 100 acres set aside to Peter Darras, Sr., by Deed dated September 29, 1880, and recorded in Volume 35, Pages 452-54, in the office of the County Clerk of Galveston County, Texas, said point being on the Northeasterly line of the Mary Fabreau Survey and the Southwesterly line of the J R. Williams Survey,

THENCE from said beginning point South 43 degrees, 35 minutes West along and with the Southeasterly line of said Peter Darras, Sr. tract, a distance of 1077 varas (2991 67 feet) said point being on the Northwesterly line of the Peter Darras, Jr tract, as said tract was set aside to Peter Darras, Jr by Deed dated September 29, 1880, and recorded in Volume 35, Pages 454-56 in said County Clerk's office;

THENCE South 46 degrees, 25 minutes East along the Northeasterly line of said Peter Darras, Jr tract, a distance of 764 varas (2122.22 feet) to a point for corner of the Southeasterly line of said Mary Fabreau Survey;

THENCE North 43 degrees, 35 minutes East along the Southeast line of said Survey a distance of 335 varas (930 56 feet) to the Easterly line of said Fabreau Survey, said point being also on the West line of the John Dickinson Survey,

THENCE North 1 degree, 25 minutes West along the Easterly line of said Fabreau Survey, same being the Westerly line of said Dickinson Survey, a distance of 1050 varas (2916 67 feet) to the most Southerly corner of the said J.R Williams Survey,

THENCE North 46 degrees, 25 minutes West along the dividing line between said Fabreau Survey and J R Williams Survey to the PLACE OF BEGINNING, containing 97 00 acres of land, more or less

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045574
KERNLS \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

NOTICE OF CONFIDENTIALITY RIGHTS IF YOU ARE A NATURAL PERSON,
 YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM
 THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS
 YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited
 partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of
 Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand
 paid by WILBUR R. CLEAVES, as Trustee of the WILBUR R CLEAVES 1993 EXEMPT
 TRUST (hereinafter referred to as "Grantee"), the receipt and sufficiency of which is
 hereby expressly acknowledged and confessed, has GRANTED, SOLD and CONVEYED,
 and by these presents does GRANT, SELL and CONVEY unto Grantee an undivided
 11 3050% of Grantor's undivided one-half (1/2) interest in and to the property described on
 Exhibit "A" attached hereto and by this reference incorporated herein for all purposes,
 together with all improvements situated thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and
 interests of Grantor in and to any roads, easements, streets and rights-of-way within,
 adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards,
 minerals, reservations and remainders, and together with each and every right, privilege,
 hereditament and appurtenance in anywise incident or appertaining to the Subject
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 extent same are in effect at this time any and all leases, restrictions, covenants,
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any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through and under Grantor, but not otherwise

Current ad valorem taxes on the Subject Property are assumed by the Grantee

GRANTOR

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By 
Wilbur R. Cleaves, Managing Partner

Address of Grantee:
Wilbur R. Cleaves, Trustee
241 Rosebud
Corpus Christi, TX 78404

THE STATE OF TEXAS

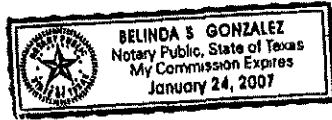
COUNTY OF Meeker

§
§
§

BEFORE ME, the undersigned authority, on this day personally appeared WILBUR R CLEAVES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of July, 2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW



Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After recording, please return to:

Jennifer M. Eiskes

PAID

**Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002**

0475688 01
004092-000000

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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045576
KERN_S \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

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THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited
 partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of
 Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand
 paid by WILBUR R CLEAVES (hereinafter referred to as "Grantee"), the receipt and
 sufficiency of which is hereby expressly acknowledged and confessed, has GRANTED,
 SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto
 Grantee an undivided 3.6340% of Grantor's undivided one-half (1/2) interest in and to the
 property described on Exhibit "A" attached hereto and by this reference incorporated herein
 for all purposes, together with all improvements situated thereon ("Subject Property").

Grantor does hereby convey the Subject Property together with all rights, titles and
 interests of Grantor in and to any roads, easements, streets and rights-of-way within,
 adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards,
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 conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if
 any, relating to the Subject Property, but only to the extent they are still in force and effect

and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property

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Current ad valorem taxes on the Subject Property are assumed by the Grantee.

GRANTOR

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By: 
Wilbur R. Cleaves, Managing Partner

Address of Grantee:
Wilbur R. Cleaves
241 Rosebud
Corpus Christi, TX 78404

THE STATE OF TEXAS

COUNTY OF

Quezon

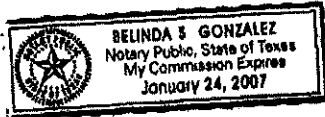
§
§
§

BEFORE ME, the undersigned authority, on this day personally appeared WILBUR R CLEAVES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated

July GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of July, 2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW

Belinda S Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After recording, please return to: **PAID**
Jennifer M. Efskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

0475682 01
004092-000000

Exhibit "A"

Being all that certain tract or parcel of land out of the Mary Fabreau Survey, Abstract No. 69, in Galveston County, Texas, and being more fully described by metes and bounds as follows

BEGINNING at the Northeast corner of a tract of 100 acres set aside to Peter Darras, Sr., by Deed dated September 29, 1880, and recorded in Volume 35, Pages 452-54, in the office of the County Clerk of Galveston County, Texas, said point being on the Northeasterly line of the Mary Fabreau Survey and the Southwesterly line of the J R Williams Survey,

THENCE from said beginning point South 43 degrees, 35 minutes West along and with the Southeasterly line of said Peter Darras, Sr. tract, a distance of 1077 varas (2991 67 feet) said point being on the Northwesterly line of the Peter Darras, Jr. tract, as said tract was set aside to Peter Darras, Jr. by Deed dated September 29, 1880, and recorded in Volume 35, Pages 454-56 in said County Clerk's office,

THENCE South 46 degrees, 25 minutes East along the Northeasterly line of said Peter Darras, Jr. tract, a distance of 764 varas (2122 22 feet) to a point for corner of the Southeasterly line of said Mary Fabreau Survey;

THENCE North 43 degrees, 35 minutes East along the Southeast line of said Survey a distance of 335 varas (930 56 feet) to the Easterly line of said Fabreau Survey, said point being also on the West line of the John Dickinson Survey,

THENCE North 1 degree, 25 minutes West along the Easterly line of said Fabreau Survey, same being the Westerly line of said Dickinson Survey, a distance of 1050 varas (2916 67 feet) to the most Southerly corner of the said J.R. Williams Survey;

THENCE North 46 degrees, 25 minutes West along the dividing line between said Fabreau Survey and J R Williams Survey to the PLACE OF BEGINNING, containing 97 00 acres of land, more or less

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045577
KERN.S \$15.00
Mary Ann Daigle COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

NOTICE OF CONFIDENTIALITY RIGHTS IF YOU ARE A NATURAL PERSON,
 YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM
 THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS
 YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited
 partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of
 Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand
 paid by WILBUR R CLEAVES, as Trustee of the WILBUR R CLEAVES 1993
 NONEXEMPT TRUST (hereinafter referred to as "Grantee"), the receipt and sufficiency of
 which is hereby expressly acknowledged and confessed, has GRANTED, SOLD and
 CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee an
 undivided 10 06120% of Grantor's undivided one-half (1/2) interest in and to the property
 described on Exhibit "A" attached hereto and by this reference incorporated herein for all
 purposes, together with all improvements situated thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and
 interests of Grantor in and to any roads, easements, streets and rights-of-way within,
 adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards,
 minerals, reservations and remainders, and together with each and every right, privilege,
 hereditament and appurtenance in anywise incident or appertaining to the Subject
 Property The term "Subject Property" shall refer to and include the property described in
 this paragraph

The conveyance made hereby and the warranties (if any) made hereunder are
 made by the Grantor and accepted by Grantee subject to the following matters, to the
 extent same are in effect at this time any and all leases, restrictions, covenants,
 conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if

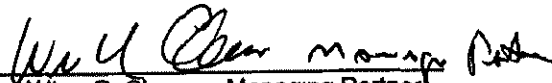
any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through and under Grantor, but not otherwise

Current ad valorem taxes on the Subject Property are assumed by the Grantee

GRANTOR

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By Wilbur R. Cleaves 
Wilbur R. Cleaves, Managing Partner

Address of Grantee:
Wilbur R. Cleaves, Trustee
241 Rosebud
Corpus Christi, TX 78404

THE STATE OF TEXAS
COUNTY OF Mecas

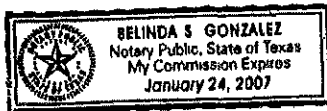
§
§
§

BEFORE ME, the undersigned authority, on this day personally appeared
WILBUR R CLEAVES, known to me to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that he executed the same for the purposes
and consideration therein expressed, in the capacity therein stated

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of
July, 2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW

Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After recording, please return to:
Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

PAID

0475686 01
004092-000000

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OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Dalgia

2004 JUL 09 09:51 AM 2004045578
KERN 8 \$15.00
Mary Ann Dalgia, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

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 THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS
 YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited
 partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of
 Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration in hand
 paid by VIRGINIA PARRISH CLEAVES, as Trustee of the VIRGINIA PARRISH CLEAVES
 1993 EXEMPT TRUST (hereinafter referred to as "Grantee"), the receipt and sufficiency of
 which is hereby expressly acknowledged and confessed, has GRANTED, SOLD and
 CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee an
 undivided 3 76840% of Grantor's undivided one-half (1/2) interest in and to the property
 described on Exhibit "A" attached hereto and by this reference incorporated herein for all
 purposes, together with all improvements situated thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and
 interests of Grantor in and to any roads, easements, streets and rights-of-way within,
 adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards,
 minerals, reservations and remainders, and together with each and every right, privilege,
 hereditament and appurtenance in anywise incident or appertaining to the Subject
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 this paragraph

The conveyance made hereby and the warranties (if any) made hereunder are
 made by the Grantor and accepted by Grantee subject to the following matters, to the
 extent same are in effect at this time any and all leases, restrictions, covenants,
 conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if

any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through and under Grantor, but not otherwise

Current ad valorem taxes on the Subject Property are assumed by the Grantee

GRANTOR.

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By Wilbur R. Cleaves 
Wilbur R. Cleaves, Managing Partner

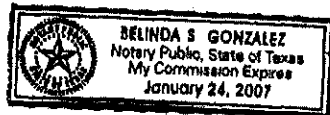
Address of Grantee:
Virginia Parrish Cleaves, Trustee
13055 Hunters Breeze
San Antonio, Texas 78230

THE STATE OF TEXAS §
COUNTY OF Harris §
§

BEFORE ME, the undersigned authority, on this day personally appeared WILBUR R. CLEAVES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated

July GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of July, 2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW



Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

PAID

After recording, please return to:
Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

0475681.01
004092-000000

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THENCE North 1 degree, 25 minutes West along the Easterly line of said Fabreau Survey, same being the Westerly line of said Dickinson Survey, a distance of 1050 varas (2916 67 feet) to the most Southerly corner of the said J R. Williams Survey;

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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045580
KERN 8 \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

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

THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration in hand paid by CONSTANCE CLEAVES BRAKEBILL, as Trustee of the CONSTANCE CLEAVES BRAKEBILL 1993 EXEMPT TRUST (hereinafter referred to as "Grantee"), the receipt and sufficiency of which is hereby expressly acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee an undivided 11.305% of Grantor's undivided one-half (1/2) interest in and to the property described on Exhibit "A" attached hereto and by this reference incorporated herein for all purposes, together with all improvements situated thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, minerals, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term "Subject Property" shall refer to and include the property described in this paragraph.

The conveyance made hereby and the warranties (if any) made hereunder are made by the Grantor and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all leases, restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if

any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property

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Current ad valorem taxes on the Subject Property are assumed by the Grantee

GRANTOR.

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By 
Wilbur R. Cleaves, Managing Partner

Address of Grantee:
Constance Cleaves Brakebill, Trustee
204 Woodlawn Drive
Friendswood, Texas 77546

THE STATE OF TEXAS

COUNTY OF Harris

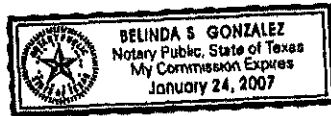
§
§
§

BEFORE ME, the undersigned authority, on this day personally appeared WILBUR R. CLEAVES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated

July GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of July, 2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW

Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After recording, please return to: **PAID**
Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

0444582 01
000344-000000

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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045581
KERNLS \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS.
 COUNTY OF GALVESTON §

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Grantor does hereby convey the Subject Property together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, minerals, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term "Subject Property" shall refer to and include the property described in this paragraph

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GRANTOR.

WILBUR S. CLEAVES FAMILY LIMITED
PARTNERSHIP

By


Wilbur R. Cleaves, Managing Partner

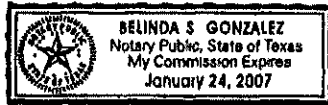
Address of Grantee:
Constance Cleaves Brakebill
204 Woodlawn Drive
Friendswood, Texas 77546

THE STATE OF TEXAS §
COUNTY OF Muees §
§

BEFORE ME, the undersigned authority, on this day personally appeared WILBUR R. CLEAVES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated

Wiley GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of July, 2004.

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW



Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After recording, please return to:

PAID

**Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002**

0475311 01
004092-000000

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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045582
KERNLS \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS.
 COUNTY OF GALVESTON §

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 partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of
 Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand
 paid by VIRGINIA PARRISH CLEAVES, as Trustee of the CATHERINE CLEAVES
 MAHON 1993 NONEXEMPT TRUST (hereinafter referred to as "Grantee"), the receipt
 and sufficiency of which is hereby expressly acknowledged and confessed, has
 GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and
 CONVEY unto Grantee an undivided 3 35378% of Grantor's undivided one-half (1/2)
 interest in and to the property described on Exhibit "A" attached hereto and by this
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GRANTOR

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By 
Wilbur R. Cleaves, Managing Partner

Address of Grantee:
Virginia Parrish Cleaves, Trustee
13055 Hunters Breeze
San Antonio, Texas 78230

THE STATE OF TEXAS

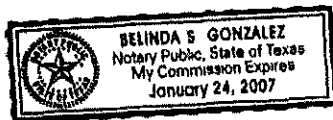
COUNTY OF Wheeler

§
§
§

BEFORE ME, the undersigned authority, on this day personally appeared
WILBUR R CLEAVES, known to me to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that he executed the same for the purposes
and consideration therein expressed, in the capacity therein stated

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of
July, 2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW



Belinda S Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF T E X A S

After recording, please return to:

AID

**Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002**

0475493 01
004092-000000

Exhibit "A"

Being all that certain tract or parcel of land out of the Mary Fabreau Survey, Abstract No 69, in Galveston County, Texas, and being more fully described by metes and bounds as follows

BEGINNING at the Northeast corner of a tract of 100 acres set aside to Peter Darras, Sr , by Deed dated September 29, 1880, and recorded in Volume 35, Pages 452-54, in the office of the County Clerk of Galveston County, Texas, said point being on the Northeasterly line of the Mary Fabreau Survey and the Southwesterly line of the J R Williams Survey,

THENCE from said beginning point South 43 degrees, 35 minutes West along and with the Southeasterly line of said Peter Darras, Sr. tract, a distance of 1077 varas (2991 67 feet) said point being on the Northwesterly line of the Peter Darras, Jr. tract, as said tract was set aside to Peter Darras, Jr by Deed dated September 29, 1880, and recorded in Volume 35, Pages 454-56 in said County Clerk's office,

THENCE South 46 degrees, 25 minutes East along the Northeasterly line of said Peter Darras, Jr tract, a distance of 764 varas (2122 22 feet) to a point for corner of the Southeasterly line of said Mary Fabreau Survey,

THENCE North 43 degrees, 35 minutes East along the Southeast line of said Survey a distance of 335 varas (930 56 feet) to the Easterly line of said Fabreau Survey, said point being also on the West line of the John Dickinson Survey,

THENCE North 1 degree, 25 minutes West along the Easterly line of said Fabreau Survey, same being the Westerly line of said Dickinson Survey, a distance of 1050 varas (2916 67 feet) to the most Southerly corner of the said J R. Williams Survey,

THENCE North 46 degrees, 25 minutes West along the dividing line between said Fabreau Survey and J R Williams Survey to the PLACE OF BEGINNING, containing 97.00 acres of land, more or less

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045583
KERNLS \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

NOTICE OF CONFIDENTIALITY RIGHTS IF YOU ARE A NATURAL PERSON,
 YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM
 THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS
 YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited
 partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of
 Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand
 paid by VIRGINIA PARRISH CLEAVES, as Trustee of the CATHERINE CLEAVES
 MAHON 1993 EXEMPT TRUST (hereinafter referred to as "Grantee"), the receipt and
 sufficiency of which is hereby expressly acknowledged and confessed, has GRANTED,
 SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto
 Grantee an undivided 3 76830% of Grantor's undivided one-half (1/2) interest in and to the
 property described on Exhibit "A" attached hereto and by this reference incorporated herein
 for all purposes, together with all improvements situated thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and
 interests of Grantor in and to any roads, easements, streets and rights-of-way within,
 adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards,
 minerals, reservations and remainders, and together with each and every right, privilege,
 hereditament and appurtenance in anywise incident or appertaining to the Subject
 Property The term "Subject Property" shall refer to and include the property described in
 this paragraph

The conveyance made hereby and the warranties (if any) made hereunder are
 made by the Grantor and accepted by Grantee subject to the following matters, to the
 extent same are in effect at this time any and all leases, restrictions, covenants,
 conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if

any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through and under Grantor, but not otherwise

Current ad valorem taxes on the Subject Property are assumed by the Grantee

GRANTOR

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By Wilbur R. Cleaves
Wilbur R. Cleaves, Managing Partner

Address of Grantee:
Virginia Parrish Cleaves, Trustee
13055 Hunters Breeze
San Antonio, Texas 78230

THE STATE OF TEXAS

COUNTY OF Harris

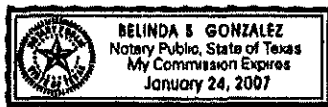
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July GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of
2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW

Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After recording, please return to:

Jennifer M. Elskes

PAID

Chamberlain, Hrdlicka, White, Williams & Martin

1200 Smith Street, Suite 1400

Houston, TX 77002

0475490 01
004092-000000

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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045584
KERNLS \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

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 partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of
 Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand
 paid by VIRGINIA PARRISH CLEAVES, as Trustee of the MELISSA CLEAVES BENSON
 1993 NONEXEMPT TRUST (hereinafter referred to as "Grantee"), the receipt and
 sufficiency of which is hereby expressly acknowledged and confessed, has GRANTED,
 SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto
 Grantee an undivided 3 35378% of Grantor's undivided one-half (1/2) interest in and to the
 property described on Exhibit "A" attached hereto and by this reference incorporated herein
 for all purposes, together with all improvements situated thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and
 interests of Grantor in and to any roads, easements, streets and rights-of-way within,
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Current ad valorem taxes on the Subject Property are assumed by the Grantee

GRANTOR

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By Wilbur R Cleaves
Wilbur R Cleaves, Managing Partner

Address of Grantee:
Virginia Parrish Cleaves, Trustee
13055 Hunters Breeze
San Antonio, Texas 78230

THE STATE OF TEXAS

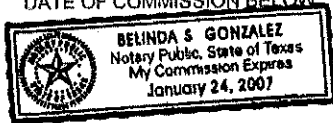
COUNTY OF Harris

§
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BEFORE ME, the undersigned authority, on this day personally appeared
WILBUR R CLEAVES, known to me to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that he executed the same for the purposes
and consideration therein expressed, in the capacity therein stated

Given UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of
July, 2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW



Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After recording, please return to:

Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

0475672 01
004092-000000

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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045585
KERN S \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

NOTICE OF CONFIDENTIALITY RIGHTS IF YOU ARE A NATURAL PERSON,
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 Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand
 paid by VIRGINIA PARRISH CLEAVES (hereinafter referred to as "Grantee"), the receipt
 and sufficiency of which is hereby expressly acknowledged and confessed, has
 GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and
 CONVEY unto Grantee an undivided 1 2110% of Grantor's undivided one-half (1/2) interest
 in and to the property described on Exhibit "A" attached hereto and by this reference
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GRANTOR:

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By 
Wilbur R. Cleaves, Managing Partner

Address of Grantee:
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13055 Hunters Breeze
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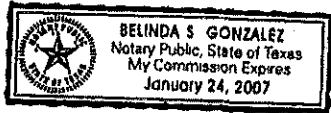
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NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

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Houston, TX 77002

0475682 01
004092-000000

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OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045586
KERN-S \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
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 1993 NONEXEMPT TRUST (hereinafter referred to as "Grantee"), the receipt and
 sufficiency of which is hereby expressly acknowledged and confessed, has GRANTED,
 SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto
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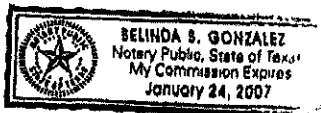
Address of Grantee:
Virginia Parrish Cleaves, Trustee
13055 Hunters Breeze
San Antonio, Texas 78230

333

2

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of July, 2004

Blanca S. Quintal
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After recording, please return to **ADD**
Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

0475680 01
004092-000000

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Mary Ann Daigle
2004 JUL 09 09:51 AM 2004045587
KERN.8 \$15.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
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THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand paid by CATHERINE CLEAVES MAHON (hereinafter referred to as "Grantee"), the receipt and sufficiency of which is hereby expressly acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee an undivided 1.21100% of Grantor's undivided one-half (1/2) interest in and to the property described on Exhibit "A" attached hereto and by this reference incorporated herein for all purposes, together with all improvements situated thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, minerals, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term "Subject Property" shall refer to and include the property described in this paragraph.

The conveyance made hereby and the warranties (if any) made hereunder are made by the Grantor and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all leases, restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if

any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through and under Grantor, but not otherwise

Current ad valorem taxes on the Subject Property are assumed by the Grantee

GRANTOR

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By


Wilbur R. Cleaves, Managing Partner

Address of Grantee:
Catherine Cleaves Mahon
1605 Rabb Road
Austin, Texas 78704

THE STATE OF TEXAS

COUNTY OF Wheeler

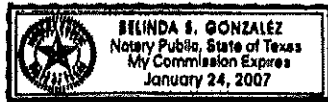
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BEFORE ME, the undersigned authority, on this day personally appeared
WILBUR R CLEAVES, known to me to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that he executed the same for the purposes
and consideration therein expressed, in the capacity therein stated

July GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of
2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW

Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After recording, please return to:
Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

PAID

0475495 01
004092-000000

Exhibit "A"

Being all that certain tract or parcel of land out of the Mary Fabreau Survey, Abstract No 69, in Galveston County, Texas, and being more fully described by metes and bounds as follows:

BEGINNING at the Northeast corner of a tract of 100 acres set aside to Peter Darras, Sr , by Deed dated September 29, 1880, and recorded in Volume 35, Pages 452-54, in the office of the County Clerk of Galveston County, Texas, said point being on the Northeasterly line of the Mary Fabreau Survey and the Southwesterly line of the J R Williams Survey,

THENCE from said beginning point South 43 degrees, 35 minutes West along and with the Southeasterly line of said Peter Darras, Sr tract, a distance of 1077 varas (2991 67 feet) said point being on the Northwesterly line of the Peter Darras, Jr. tract, as said tract was set aside to Peter Darras, Jr. by Deed dated September 29, 1880, and recorded in Volume 35, Pages 454-56 in said County Clerk's office,

THENCE South 46 degrees, 25 minutes East along the Northeasterly line of said Peter Darras, Jr tract, a distance of 764 varas (2122 22 feet) to a point for corner of the Southeasterly line of said Mary Fabreau Survey,

THENCE North 43 degrees, 35 minutes East along the Southeast line of said Survey a distance of 335 varas (930 56 feet) to the Easterly line of said Fabreau Survey, said point being also on the West line of the John Dickinson Survey,

THENCE North 1 degree, 25 minutes West along the Easterly line of said Fabreau Survey, same being the Westerly line of said Dickinson Survey, a distance of 1050 varas (2916 67 feet) to the most Southerly corner of the said J R Williams Survey,

THENCE North 46 degrees, 25 minutes West along the dividing line between said Fabreau Survey and J R. Williams Survey to the PLACE OF BEGINNING, containing 97 00 acres of land, more or less

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045588
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Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

NOTICE OF CONFIDENTIALITY RIGHTS IF YOU ARE A NATURAL PERSON,
 YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM
 THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS
 YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited
 partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of
 Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand
 paid by VIRGINIA PARRISH CLEAVES, as Trustee of the MELISSA CLEAVES BENSON
 1993 EXEMPT TRUST (hereinafter referred to as "Grantee"), the receipt and sufficiency of
 which is hereby expressly acknowledged and confessed, has GRANTED, SOLD and
 CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee an
 undivided 3 76830% of Grantor's undivided one-half (1/2) interest in and to the property
 described on Exhibit "A" attached hereto and by this reference incorporated herein for all
 purposes, together with all improvements situated thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and
 interests of Grantor in and to any roads, easements, streets and rights-of-way within,
 adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards,
 minerals, reservations and remainders, and together with each and every right, privilege,
 hereditament and appurtenance in anywise incident or appertaining to the Subject
 Property The term "Subject Property" shall refer to and include the property described in
 this paragraph

The conveyance made hereby and the warranties (if any) made hereunder are
 made by the Grantor and accepted by Grantee subject to the following matters, to the
 extent same are in effect at this time any and all leases, restrictions, covenants,
 conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if

any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in the above-mentioned county and state, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, but only to the extent that they are still in effect, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through and under Grantor, but not otherwise.

Current ad valorem taxes on the Subject Property are assumed by the Grantee

GRANTOR.

WILBUR S CLEAVES FAMILY LIMITED
PARTNERSHIP

By Wilbur R. Cleaves
Wilbur R. Cleaves, Managing Partner *Trustee*

Address of Grantee:
Virginia Parnish Cleaves, Trustee
13055 Hunters Breeze
San Antonio, Texas 78230

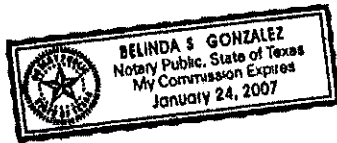
THE STATE OF TEXAS
COUNTY OF Harris

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BEFORE ME, the undersigned authority, on this day personally appeared
WILBUR R. CLEAVES, known to me to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that he executed the same for the purposes
and consideration therein expressed, in the capacity therein stated

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of
July, 2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW



Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After recording, please return to:
Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002

PAID

0475873 01
004092-000000

Exhibit "A"

Being all that certain tract or parcel of land out of the Mary Fabreau Survey, Abstract No 69, in Galveston County, Texas, and being more fully described by metes and bounds as follows

BEGINNING at the Northeast corner of a tract of 100 acres set aside to Peter Darras, Sr , by Deed dated September 29, 1880, and recorded in Volume 35, Pages 452-54, in the office of the County Clerk of Galveston County, Texas, said point being on the Northeasterly line of the Mary Fabreau Survey and the Southwesterly line of the J R Williams Survey,

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THENCE North 46 degrees, 25 minutes West along the dividing line between said Fabreau Survey and J R Williams Survey to the PLACE OF BEGINNING, containing 97 00 acres of land, more or less

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Dalgia
2004 JUL 09 09:51 AM 2004045589
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Mary Ann Dalgia, COUNTY CLERK
GALVESTON, TEXAS

SPECIAL WARRANTY DEED

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

NOTICE OF CONFIDENTIALITY RIGHTS IF YOU ARE A NATURAL PERSON,
 YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM
 THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS
 YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

THAT WILBUR S CLEAVES FAMILY LIMITED PARTNERSHIP, a Texas limited
 partnership, (hereinafter referred to as "Grantor"), for and in consideration of the sum of
 Ten and No/100 Dollars (\$10 00) cash and other good and valuable consideration in hand
 paid by MELISSA CLEAVES BENSON (hereinafter referred to as "Grantee"), the receipt
 and sufficiency of which is hereby expressly acknowledged and confessed, has
 GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and
 CONVEY unto Grantee an undivided 1 21100% of Grantor's undivided one-half (1/2)
 interest in and to the property described on Exhibit "A" attached hereto and by this
 reference incorporated herein for all purposes, together with all improvements situated
 thereon ("Subject Property")

Grantor does hereby convey the Subject Property together with all rights, titles and
 interests of Grantor in and to any roads, easements, streets and rights-of-way within,
 adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards,
 minerals, reservations and remainders, and together with each and every right, privilege,
 hereditament and appurtenance in anywise incident or appertaining to the Subject
 Property The term "Subject Property" shall refer to and include the property described in
 this paragraph

The conveyance made hereby and the warranties (if any) made hereunder are
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TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through and under Grantor, but not otherwise

Current ad valorem taxes on the Subject Property are assumed by the Grantee

GRANTOR

WILBUR S. CLEAVES FAMILY LIMITED
PARTNERSHIP

By 
Wilbur R. Cleaves, Managing Partner

Address of Grantee:
Melissa Cleaves Benson
4400 Hanover
Dallas, Texas 75225

THE STATE OF TEXAS
COUNTY OF Harris

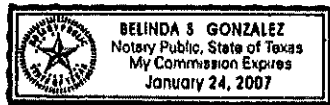
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BEFORE ME, the undersigned authority, on this day personally appeared
WILBUR R. CLEAVES, known to me to be the person whose name is subscribed to the
foregoing instrument and acknowledged to me that he executed the same for the purposes
and consideration therein expressed, in the capacity therein stated

July GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 2 day of
2004

STAMP NAME AND EXPIRATION
DATE OF COMMISSION BELOW

Belinda S. Gonzalez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After recording, please return to:

PAID

**Jennifer M. Elskes
Chamberlain, Hrdlicka, White, Williams & Martin
1200 Smith Street, Suite 1400
Houston, TX 77002**

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004092-000000

Exhibit "A"

Being all that certain tract or parcel of land out of the Mary Fabreau Survey, Abstract No 69, in Galveston County, Texas, and being more fully described by metes and bounds as follows

BEGINNING at the Northeast corner of a tract of 100 acres set aside to Peter Darras, Sr , by Deed dated September 29, 1880, and recorded in Volume 35, Pages 452-54, in the office of the County Clerk of Galveston County, Texas, said point being on the Northeasterly line of the Mary Fabreau Survey and the Southwesterly line of the J R Williams Survey;

THENCE from said beginning point South 43 degrees, 35 minutes West along and with the Southeasterly line of said Peter Darras, Sr tract, a distance of 1077 varas (2991 67 feet) said point being on the Northwesterly line of the Peter Darras, Jr tract, as said tract was set aside to Peter Darras, Jr. by Deed dated September 29, 1880, and recorded in Volume 35, Pages 454-56 in said County Clerk's office,

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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUL 09 09:51 AM 2004045590
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Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

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

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF GALVESTON §

That THE ESTATE OF GEORGE A. BOFYSIL, JR., acting by and through Sherry B. Angelo and Georgia B. Graunard, as Co-Independent Executrixes ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid to Grantor by Yellowstone Hill Country Ranching, LLC, a Texas Limited Liability Company ("Grantee"), whose address is 770 S. Post Oak Ln, Ste. 600, Houston, Texas 77056, the receipt and sufficiency of which are hereby acknowledged, subject to the reservations, exceptions, restrictions and other terms and provisions hereinafter described, has GRANTED, SOLD AND CONVEYED and by these presents does hereby GRANT, SELL AND CONVEY unto the Grantee, all of that certain real property described as follows, to-wit:

The SURFACE ONLY of two (2) tracts of land, one containing approximately 194 21 acres situated in the Geo Patterson Survey, Abstract No. 645 and the Mary Fabreau Survey, Abstract No. 69 and the other containing approximately 26 92 acres situated in the I. & G. N.R.R. Survey No 5, Abstract No 622, located in Galveston County, Texas, which tracts are more particularly described by metes and bounds on Exhibit A attached hereto and incorporated herein for all purposes;

together with any and all improvements thereon and any and all appurtenances and hereditaments pertaining thereto (the "Property").

This Deed is subject to the following terms and provisions

A. Exceptions. This conveyance is made and accepted subject to, all and singular, but only to the extent that the same are currently valid and enforceable against the Property, all restrictions, reservations, encumbrances, easements, rights-of-way, outstanding royalty and mineral interests, covenants, conditions, and other matters relating to the Property more particularly set forth in Exhibit B, attached hereto and incorporated herein for all purposes and any ad valorem taxes and assessments applicable to the Property which are not yet due and payable and any additional taxes, penalties or interest assessed as a result of the transfer of the Property or any subsequent change in the use of the Property. All ad valorem taxes and assessments for the Property for the calendar year 2010 which are not yet due and payable have been prorated by the parties hereto as of the effective date of this Deed, and Grantee hereby expressly assumes liability for the payment thereof and for subsequent years and any additional taxes, penalties or interest hereafter assessed as a result of the transfer of the Property or any subsequent change in the use of the Property

B. Mineral Reservation. There is excepted from this Special Warranty Deed and the warranty contained herein, and Grantor hereby reserves unto itself, its successors and assigns, all of Grantor's rights and interests in and to all oil, gas and other minerals in, on and under or that may be produced from the Property. Grantor hereby waives and releases its rights to ingress and egress to and from said Property for the purpose of exploring for, storing, producing or otherwise developing said oil, gas and other minerals. Notwithstanding the foregoing to the contrary, Grantor reserves unto itself and its successors the rights to develop and produce oil, gas and other minerals in, on, under or that may be produced from the Property by pooling or by directional drilling under the Property from well sites located on lands other than the Property.

C. Access Easement Reservation. Grantor hereby reserves, free of any charge, a twenty foot (20') wide temporary non-exclusive access easement on, over and across the portion of the Property located west of that certain five foot (5') easement granted to Southwestern Bell filed for record under Galveston County Clerk's File No. 9847780 and recorded under Film Code No. 012-96-2002 of the Official Public Records of Real Property of Galveston County, Texas (the "Access Easement") for the sole purpose of providing emergency vehicular access to and from the land owned by Grantor located south and west of the southern boundary of the Property and east of F.M. 528 ("Grantor's Adjacent Land") by Grantor's agents and representatives and subject to the limitation that the Access Easement shall automatically be released and become null and void in 5 years. The Access Easement may not be assigned to any other person or entity (other than the heirs of the Estate of George A Bofysil, Jr. in any distribution of Grantor's Adjacent Land from the estate), shall not be used for any operating or development activities conducted on Grantor's Adjacent Land and may be reconfigured or relocated from time to time to accommodate development of the Property and/or as may be required in order to maintain access to and from Grantor's Adjacent Land to a public street. Any relocation or reconfiguration of the Access Easement shall be subject to the approval of Grantor and Grantee, which approval shall not to be unreasonably withheld, conditioned or delayed, provided, however, that any such relocation or reconfiguration affords reasonably equivalent usable physical access for the purpose for which the Access Easement is granted. Upon agreement of Grantor and Grantee to any relocation or reconfiguration of the Access Easement from time to time, Grantor and Grantee agree to execute and record an amendment to the description of the Access Easement showing the new location and configuration of the Access Easement and granting the Access Easement over such new location and releasing any area which is no longer subject to the Access Easement.

D. Deed Restriction. Grantor hereby establishes and imposes against the portions of the Property located northwest of the northern boundary of Lot 20 of the David Fahey Subdivision, recorded in Volume 18, Page 417 of the real property records of Galveston County, Texas (the "Restricted Property") the following restrictive covenant which shall hereafter run with the land and burden the Restricted Property and all portions thereof.

The Restricted Property shall only be used for residential purposes, provided, however, in no event shall the Restricted Property be

used for commercial use, apartments or for mobile homes (the "Use Restriction"), and provided further, however, that the current use of all or any portion of the Restricted Property for agricultural purposes may be continued until the Restricted Property is developed and used for residential purposes, whereupon the Use Restriction shall be applicable with respect to the portions of the Restricted Property so developed and used from time to time. It is acknowledged and agreed by Grantor that the construction of streets and utilities and the grading of the land for residential development prior to construction and occupancy of residential structures shall not constitute a violation of the Use Restriction. The Restricted Property may be rezoned from time to time for any use not prohibited by the Use Restriction.

The Use Restriction shall be for the benefit of all other property owned by Grantor in the area ("Grantor's Remaining Property"). The Use Restriction shall be enforceable by Grantor and its successors and assigns as future owners of fee simple or leasehold estate title to all or any portion of Grantor's Remaining Property, any or all of whom shall have the right to obtain such relief as may be available in law or in equity to enforce the Use Restriction and/or to recover damages for the breach thereof.

E "AS IS" Conveyance. Grantee acknowledges and agrees as follows

(i) Grantee has purchased the Property, and the Property is hereby conveyed and transferred to Grantee, "AS IS, WHERE IS, AND WITH ALL FAULTS" and specifically and expressly without any warranties, representations, or guarantees, either express or implied, of any kind, nature, or type whatsoever from or on behalf of the Grantor, excepting the warranties pertaining to the special warranty of title to the Property contained in this deed and except as specifically provided in the Unimproved Property Contract for the purchase of the Property. Grantee further acknowledges and agrees there are no oral agreements, warranties or representations collateral to or affecting the Property by Grantor or any agent of Grantor (the "Contract") Grantor is further not liable or bound in any manner by any statements, representations or information pertaining to the Property furnished orally by any real estate broker, agent, employee, servant or other person,

(ii) Grantee shall not be entitled to, and shall not, rely on the Grantor or its agents as to (1) the quality, nature, adequacy, or physical condition of the Property including, but not limited to, the structural elements, foundation, roof, appurtenances, access, landscaping, parking facilities, or the electrical, mechanical, HVAC, plumbing, sewage or utility systems, facilities or appliances at the Property, if any, (2) the quality, nature, adequacy, or physical condition of soils or the existence of ground water at the Property, (3) the existence, quality, nature, adequacy, or physical condition of any utilities serving the Property, (4) the development potential of the Property, its habitability, merchantability or fitness, suitability, or adequacy of the Property for any particular purpose, (5) the zoning or other legal status of the Property, (6) the Property's or its operations' compliance with any applicable codes, laws, regulations, statutes, ordinances, covenants, conditions, or restrictions of any governmental

or quasi-governmental entity, or of any other person or entity, or (7) the quality of any labor or materials relating in any way to the Property; excepting the warranties pertaining to the special warranty of title to the Property and except as specifically provided in the Contract,

(iii) GRANTOR HAS NOT AND DOES NOT, WITH RESPECT TO THE PROPERTY MAKE ANY WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, INCLUDING, BUT IN NO WAY LIMITED TO, ANY WARRANTY OF CONDITION, MERCHANTABILITY HABITABILITY OR FITNESS FOR A PARTICULAR USE, OR WITH RESPECT TO THE VALUE, PROFITABILITY, OR MARKETABILITY OF THE PROPERTY EXCEPTING THE WARRANTIES PERTAINING TO THE SPECIAL WARRANTY OF TITLE TO THE PROPERTY AND EXCEPT AS SPECIFICALLY PROVIDED IN THE CONTRACT,

(iv) GRANTOR HAS NOT AND DOES NOT, WITH RESPECT TO THE PROPERTY MAKE ANY REPRESENTATION OR WARRANTY WITH REGARD TO COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS, OR REQUIREMENTS INCLUDING BUT NOT LIMITED TO, THOSE PERTAINING TO THE HANDLING, GENERATING TREATING, STORING OR DISPOSING OF ANY HAZARDOUS WASTE OR SUBSTANCE, EXCEPT AS SPECIFICALLY PROVIDED IN THE CONTRACT,

(v) Grantee has had an adequate opportunity to make such legal, factual, and other inquiries and investigations as it deems necessary, desirable, or appropriate with respect to the Property GRANTEE EXPRESSLY ACKNOWLEDGES THAT IT IS SPECIFICALLY RELYING UPON SUCH INSPECTIONS AND INVESTIGATIONS IN MAKING ITS DETERMINATION TO ACQUIRE THE PROPERTY Grantee further acknowledges that it is relying upon the conclusions and advice of its experts, consultants and professionals in evaluating the feasibility and desirability of the Property for Grantee's use, and that the availability of the rights to investigate and inspect the Property, and Grantee's corresponding reliance upon the results of such investigations and inspections, were a material factor in the determination to enter into the Contract Such inquiries and investigations of Grantee shall be deemed to include, but shall not be limited to the physical components of all portions of the Property, the condition of the Property, and state such facts that an accurate survey and inspection would show, the present and future zoning ordinances, resolutions, and regulation of the city, county, and state where the Property is located, and the value and marketability of the Property,

(vi) Without in any way limiting the generality of the preceding subparagraphs (i) through (v), Grantee specifically acknowledges and agrees that it hereby waives, releases, and discharges any claim it has, might have had, or may have against the Grantor with respect to Grantor's ability or inability to obtain or maintain building permits, either temporary or final certificates of occupancy, or other licenses for the use or operation of the Property and/or certificates of compliance for the Property, and the actual or potential income or profits to be derived from the Property, the real estate taxes or assessments now or hereafter payable thereon,

(vii) GRANTEE ASSUMES THE RISK THAT ADVERSE MATTERS, INCLUDING BUT NOT LIMITED TO, ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS, MAY NOT HAVE BEEN REVEALED BY GRANTEE'S INVESTIGATIONS, AND GRANTEE WAIVES, RELINQUISHES AND RELEASES GRANTOR FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION (INCLUDING CAUSES OF ACTION IN TORT), LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES (INCLUDING ATTORNEYS' FEES AND COURT COSTS) OF ANY AND EVERY KIND OR CHARACTER, KNOWN OR UNKNOWN, WHICH GRANTEE MIGHT HAVE ASSERTED OR ALLEGED AGAINST GRANTOR, AT ANY TIME BY REASON OF OR ARISING OUT OF ANY LATENT OR PATENT DEFECTS OR PHYSICAL CONDITIONS, VIOLATIONS OF ANY APPLICABLE LAWS (INCLUDING, WITHOUT LIMITATION, ANY ENVIRONMENTAL LAWS) AND ANY AND ALL OTHER ACTS, OMISSIONS, EVENTS, CIRCUMSTANCES OR MATTERS REGARDING THE PROPERTY, and

(viii) GRANTEE ACKNOWLEDGES AND AGREES THAT THE WAIVERS, RELEASES AND OTHER PROVISIONS CONTAINED IN THIS DEED WERE A MATERIAL FACTOR IN GRANTOR'S ACCEPTANCE OF THE PURCHASE PRICE AND THAT GRANTOR IS UNWILLING TO SELL THE PROPERTY TO GRANTEE UNLESS GRANTOR IS RELEASED AS EXPRESSLY SET FORTH ABOVE. GRANTEE, WITH GRANTEE'S COUNSEL, HAS FULLY REVIEWED THE DISCLAIMERS AND WAIVERS SET FORTH IN THIS DEED, AND UNDERSTANDS THE SIGNIFICANCE AND EFFECT THEREOF.

F. Counterparts. More than one counterpart of this Deed may be executed by the parties hereto, and each fully executed counterpart shall be deemed an original, the pages of which may be aggregated to form a single document.

G. Binding Effect. This Deed shall inure to the benefit of and be binding upon Grantor, its successors and assigns, and Grantee and its successors and assigns, and to the successors in ownership to any interest in the Property and in any other property of Grantor (whether owned by Grantor in fee simple or in which Grantor owns an easement estate) affected hereby, it being agreed that all of the provisions of this Deed, shall run with the land

TO HAVE AND TO HOLD the Property, subject to the terms, provisions, reservations, exceptions, and restrictions set forth herein, together with all and singular the rights and appurtenances thereto in anywise belonging unto the Grantee, its successors and assigns forever; and the Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND, all and singular the Property, subject to the terms, provisions, reservations, exceptions, and restrictions set forth herein, unto the 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.

Whenever the context of this Special Warranty Deed requires, (a) the singular nouns and pronouns include the plural, (b) any gender includes the other genders and (c) the term

“successors and assigns” includes legal representatives, heirs, executors, administrators, successors and assigns.

This Special Warranty Deed is executed by Sherry B. Angelo and Georgia B Graugnard, not individually, but solely in their capacity as the Co-Independent Executrixes, of the Estate of George A. Bofysil, Jr and neither shall have any personal liability hereunder

[SIGNATURE PAGE FOLLOWS THIS PAGE]

EXECUTED on the date of the acknowledgment set forth below to be effective
for all purposes as of the 29 day of November, 2010

GRANTOR

ESTATE OF GEORGE A BOFYSIL, JR

By

Sherry B. Angelo
Sherry B Angelo,
Independent Co-Executrix of the
Estate of George A Bofysil, Jr

By

Georgia B Graugnard
Georgia B Graugnard,
Independent Co-Executrix of the
Estate of George A Bofysil, Jr

STATE OF TEXAS

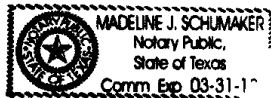
§

COUNTY OF FORT BEND

§

The foregoing instrument was acknowledged before me this 29th day of
Nov, 2010, by Sherry B Angelo

(Seal and Expiration Date)



Madeline J. Schumaker
Notary Public

STATE OF TEXAS

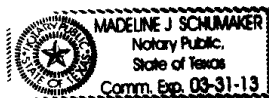
§

COUNTY OF FORT BEND

§

The foregoing instrument was acknowledged before me this 29th day of
Nov, 2010, by Georgia B Graugnard

(Seal and Expiration Date)



Madeline J. Schumaker
Notary Public

GRANTEE.

Yellowstone Hill Country Ranching, LLC,
a Texas Limited Liability Company

By _____

Name. Charles Gregory Evans

Title Manager

STATE OF TEXAS

§

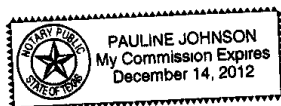
§

COUNTY OF GALVESTON

§

The foregoing instrument was acknowledged before me this 29 day of November, 2010, by Charles Gregory Evans, Manager of Yellowstone Hill Country Ranching, LLC, a Texas Limited Liability Company, on behalf of such Company.

(Seal and Expiration Date)



Notary Public

RETURN TO

American Title Company of Houston
349 E. Parkwood Drive
Friendswood, TX 77546
Attention: Pauline Johnson
Ref: GF# 1873-10-1065

LIST OF EXHIBITS

Exhibit A – Property Description
Exhibit B – Permitted Encumbrances

EXHIBIT A

Property Description

TRACT "A"

A tract of land containing 8,459,890 square feet out of and being part of Lots 1-3, 13-16 and 19-20 of the David Fahey Subdivisions, as recorded In Volume 118, Page 417 and also being out of and a part of Lot 4 of the Burgess Subdivision as recorded in Volume 119, Page 14, both subdivisions of the County Clerk of Galveston County, Texas and being situated in Geo Patterson Survey, Abstract Number 645 and the Mary Fabreau Survey, Abstract Number 69, Galveston County, Texas with said 8,459,890 square feet being more particularly described by Metes and Bounds as follows

COMMENCING at a 5/8 Inch iron rod found at the North corner of Somerset Place Subdivision as recorded In Volume 18, Page 302 of the Galveston County Map Records,

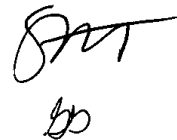
THENCE, S 46 deg 22 min 26 sec E, along the Easterly line of the aforementioned Somerset Place, a distance of 575 67 feet (called 574 00 feet) to an Iron cap found in said Easterly line at the Southerly corner of the remainder of Lot 4 of the Burgess Subdivision, deeded to George A Bofysil, Jr and recorded in film code number 004-10-2007 of the official real property records of Galveston County and at the Northwest corner and Place of Beginning of the herein described tract,

THENCE N 43 deg 38 min 47 sec E (called N 43 deg -37 min 34 sec E), along the Southeasterly line of said remainder of Lot 4 and the Northwesterly line of this tract, a distance of 1255 72 feet (called 1255 98 feet) to an iron rod with cap found in the Southwesterly line of Friendswood Lakes Section One recorded In Volume 18, Page 1176 of the Galveston County Map Records at the most Northerly corner of this tract,

THENCE S 46 deg -22min -44 sec E, (called S 46 deg -23 min -49 sec E), along the said Southwesterly line of Friendswood Lakes, Section One and an Easterly line of this tract a distance of 717 47 feet (called 717 77) to a 5/8 Inch iron rod found at the called South corner of said Friendswood Lakes, Section One, the most Northerly corner of a called 2 0477 acre tract of land described in deed to Friendswood Lakes, Inc - in film code number 014-67-1510 and at an angle point of the hereon described tract,

THENCE S 62 deg -06 min 21 sec E (called S 62 deg -05 min -22 sec E), along the Southeasterly line of said called 2 0477 acre tract a distance of 836 42 feet (called 836 12 feet) to a 5/8 Inch iron rod found at the Southerly corner of said called 2 0477 acre tract, the Westerly corner of a called 32 4763 acre tract described in deed to Friendswood Lakes, Inc In film code 014-67 -1510 and an angle point of this tract,

Exhibit A - Page 1

Handwritten signature and initials in black ink, located in the bottom right corner of the page.

THENCE S 47 deg -16 min -50 sec E (called 47 deg -17 min -03 sec E), along the Southwesterly line of the called 32 4763 acre tract a distance of 820 58 feet (called 820 80 feet), to a 5/8 iron rod found at the Southerly corner of the called 32 4763 acre tract and an angle point of the hereon described tract,

THENCE N 42 deg -41 min 10 sec E (called N 42 deg -42 min -57 sec E), along the Southeasterly line of the called 32 4763 acre tract, a distance of 253 77 feet (called 253 67 feet), in an iron rod with cap found in the Southwesterly line of Friendswood Lakes, Section Two, as recorded in Volume 18 Page 1366 of the Galveston County Map Records, at the Southeasterly corner of called 32 4763 acre tract and at an angle point of this tract,

THENCE S 47deg -16 min -31 sec E (called S47 deg -18 min -18 sec) along the Southwesterly line of said Friendswood Lakes, Section Two, a distance of 460 42 feet (called 459 83 feet) to a iron rod with cap found at a point of curvature to the left of Friendswood Lakes, Section Two and the hereon described tract,

THENCE in a Northeasterly direction along the arc of said curve to the left having a radius of 25 00 feet, a central angle of 89 deg -54 min -23 sec (called 90 deg -00 min 54 sec) and an arc length of 39 23 feet (called 39 28 feet) to an iron rod with cap found at the Southwesterly corner of Sandy Lakes Boulevard, called 60 foot right-of-way at an interior corner of Friendswood Lakes, Section Two and this tract

THENCE S47 deg -17 min - 01 sec E (called S47 deg 18 min -18 sec E), along the Westerly line of Sandy Lakes Boulevard, a distance of 59 91 feet (called 60 00 feet) to an iron rod with cap found at the Southerly corner of said Sandy Lakes Boulevard, at a point of curvature to the left and an interior corner of the hereon described tract,

THENCE In a Southeasterly direction around said curve to the left having a radius of 25 00 feet, a central angle of 90 deg -11 min -52 sec (called 90 deg -00 sec -54 sec) and an arc length of 39 36 feet (called 39 28 feet) to an iron rod with cap found at a point of tangency in the Southwesterly line of Friendswood Lakes, Section Two and for an interior corner of this tract,

THENCE S 47deg -16 min -50 sec E (called S47 deg -18 min -18 sec E), along the Southwesterly line of Friendswood Lakes, Section Two a distance of 260 89 feet (called 260 75 feet) to an iron rod with cap found at the most Southerly corner of Friendswood Lakes, Section Two, the Westerly corner of a called 9 801 acre subdivision which is under construction and to be known as the Dominion at Friendswood Lakes and at an angle point for hereon described tract,

THENCE S 47deg -14 min -38 sec, E (called S 47 deg -15 min -55 sec, E), along the Westerly line of said proposed subdivision, distance of 673 35 feet (called 673,57 feet) to an iron rod with cap found in the Northerly line of a tract of land described in Deed to

Exhibit A - Page 2


HOU 3059373 5



The Wilbur S, Cleaves Family Limited Partnership in film code number 011-61-0107, at the Southerly corner of the proposed subdivision and at the most Easterly corner of this tract,

THENCE S 43 deg,-45 min -17 sec W (called S43 deg -45 min 11 sec W), along the Northerly line of said Wilbur S Cleaves Family Limited Partnership tract, a distance of 550 62 feet (called 551 13 feet) to a 5/8 inch iron rod found at the Westerly line of said Cleaves Family Limited Partnership and at an angle point of the hereon described tract,

THENCE S46 deg -16 min,-21 sec E (called S46 deg -16 min-27 sec E), along the Westerly line of said Cleaves Family Limited Partnership tract and an Easterly line of this tract, a distance of 2123,10 feet to a 5/8 iron rod with cap set from which a nail inside of a 1 inch iron pipe found is 1 foot 11 inches Westerly and from which a 1" iron pipe found at the called East corner of Lot 21 of the David Fahey Subdivision bears N 43 deg -42 min - 42 sec E a distance of 929 11 feet (called 929,17 feet) and said 5/8 inch iron rod with cap set is in the Northerly line of called First Tract deeded to West Cattle Company in film code number 007-99-1074 and at the Southeasterly corner of this tract,

THENCE S43 deg -42 min -42 sec, W (called S43 deg -42 min,-50 sec W) along said Northerly line of the West Cattle Company tract, a distance of 1220 64 feet to a 5/8 inch iron rod set at an interior corner of the West Cattle Company tract and at an angle point of the hereon described tract,

THENCE N 46 deg -17 min -30 sec, W (called N 46 deg -17 min -22 sec W) along an interior line of the West Cattle Company tract a distance of 194 41 feet to a 5/8 inch iron with cap set at the most Northwesterly corner of the said West Cattle Company tract, the most Easterly corner of a 26 92 acre tract to be known as "Tract B" surveyed at the time as this tract at angle point of this tract,

THENCE N 46 deg-17 min -26 sec W (called N 46 deg -18 min,-02 sec, W), along the Northerly line of said "Tract B", a distance of 1389,91 feet to a 1/2 inch iron rod found at the Easterly corner of The Lake at San Joaquin Section One recorded in Volume 18, Page 1302 both of the Galveston County Map Records, the Northerly corner of "Tract B" and at an angle point of the for the hereon described tract,

THENCE N 46 deg -22 min,-26 sec W, along the Easterly line of said San Joaquin Estates, Sections One, Two and Three the Easterly line of Mission Estates, Section Three as recorded in Volume 18, Page 91 of the Galveston County Map Records and said Somerset Place, a distance of 4379 47 feet (called 4370 05 feet) to the Place of Beginning and containing 194 21 acres

Exhibit A - Page 3



HOU 3059373 5



TRACT"B"

A tract of land containing 1,172, 653 9 square feet out of and being part of a called first tract conveyed to George A Bofysil, Jr as recorded in film code number 004-10-2007 of the official real property records of Galveston County, Texas and being situated in the I & G N R R, Survey No 5, Abstract No 622, Galveston County, Texas with said 1,172,653 9 square feet being more particularly described in metes and bounds as follows

COMMENCING at a 5/8 inch iron rod found at the called North corner of Somerset Place Subdivision as recorded in Volume 18, Page 302 of the Galveston County Map Records,

THENCE S 46 deg -22 min -26 sec E, along the Easterly line of the aforementioned Somerset Place, at a distance of 575 67 feet (called 574 00 feet) pass an iron rod with cap found in said Easterly line at the Southerly corner of the remainder of Lot 4 of the Burgess Subdivision, deeded to George A Bofysil, Jr and recorded in film code number 004-10-2007 of the official real property records of Galveston county and at the Northwest corner of a 194 21 acre tract of land to be known as "Tract A", surveyed at the same time as this tract and along the Easterly lines of Mission Estates, Section 3 as recorded in Volume 18, Page 91, San Joaquin Estates, Sections 1,2 and 3 as recorded in Volume 18, Page 63 and the Northeasterly line of The Lake at San Joaquin, Section One as recorded in Volume 18, Page 1302 all of the Galveston County Map records, a total distance of 4955 14 feet (called 4953 05 feet) to a 1/2 inch iron rod found at the Northerly corner of Said The Lake at San Joaquin, Section One, an angle point for said "Tract A" and at the Northerly corner and Place of Beginning of the herein described tract,

THENCE S 46 deg -17 min -26 sec E (called S 46 deg -18 min -02 sec E), along a Southerly line of said "Tract A" and the Northerly line of this tract, a distance of 1389 91 feet to a 5/8 inch iron rod with cap set from which an iron pipe found laying down is 1 foot Easterly, at the most Northwesterly corner of a called first tract conveyed to West Cattle Company in film code number 007-99-1074, an angle point for "Tract A" and at the most Northeasterly corner of this tract,

THENCE S00 deg,-33 min -18 sec E (called S 00 deg -33 min -10 sec E), along the Westerly line of said West Cattle Company tract and the Easterly line of this tract, a distance of 740 89 feet to a 5/8 inch iron rod with cap set in said Westerly line, at the Northeasterly corner of a remainder tract deeded to George A Bofysil, Jr in film code number 004-10-2007 and at the Southeast corner of the hereon described tract,

THENCE S 88 deg -06 min -28 sec W (called S88 deg -06 min -58 sec W), along the Northerly line of said remainder tract and the Southerly line of this tract, a distance of 927 38 feet (called 926 80 feet) to an iron rod with cap found in the Northerly line of the

Exhibit A - Page 4



HOU 3059373 5



remainder tract, the Southerly corner of The Lake at San Joaquin, Section Two as recorded in Plat Record 2009A, Map Number 3 of the Galveston County Map Records at the Southwesterly corner of this tract,

THENCE N 02 deg -48 min -36 sec W (called N 02 deg -50 min -01 sec W), along the Easterly line of said The Lake at San Joaquin, Sections One and Two, a distance of 1734 00 feet (called 1733 69 feet) to the place of beginning and containing 26 92 acres

Exhibit A - Page 5



HOU 3059373 5



EXHIBIT B

Permitted Encumbrances

As to Tract A

- 1 Community Public Service Company easement(s) as set forth and defined by instrument(s) recorded in Volume 1715, Page 69 of the Office of the County Clerk Records of Galveston County, Texas as shown on survey dated July 30, 2010 prepared by Scott R Sheridan, RPLS No 6171
- 2 Exxon Pipeline Company easement(s) as set forth and defined by instrument(s) filed for record under Galveston County Clerk's File No(s) 9913849 as shown on survey dated July 30, 2010 prepared by Scott R Sheridan, RPLS No 6171
- 3 Exxon Pipeline Company easement(s) as set forth and defined by instrument(s) filed for record under Galveston County Clerk's File No(s) 2000064553 as shown on survey dated July 30, 2010 prepared by Scott R Sheridan, RPLS No 6171
- 4 City of Friendswood water easement(s) as set forth and defined by instrument(s) filed for record under Galveston County Clerk's File No(s) 9523682
- 5 City of Friendswood sanitary sewer easement(s) as set forth and defined by instrument(s) filed for record under Galveston County Clerk's File No(s) 9316397 as shown on survey dated July 30, 2010 prepared by Scott R Sheridan, RPLS No 6171
- 6 Southwestern Bell Telephone Company easement(s) as set forth and defined by instrument(s) recorded in Volume 2539, Page 556 and Volume 2645, Page 28 and Clerk's File No 9844780 of the Clerk's Records of Galveston County, Texas as shown on survey dated July 30, 2010 prepared by Scott R Sheridan, RPLS No 6171
- 7 All those certain buffers, utility, drainage, water line(s), etc , easements as shown by the recorded plats of subdivisions, by instrument(s) recorded in Volume 18, Page 1176 (Friendswood Lakes) and Volume 18, Page 1366 (Friendswood Lakes Section 2) of the Clerk's Records of Galveston County, Texas as shown on survey dated July 30, 2010 prepared by Scott R Sheridan, RPLS No 6171
- 8 A 1/2 royalty interest of all oil, gas and other minerals, royalties, bonuses, rentals and all other rights in connection with same set forth in instrument filed for record under Volume 653, Page 248, of the Clerk's Records of Galveston County, Texas
- 9 Terms, conditions and stipulations contained in that certain Affidavit of Non-Production, as set forth by instrument filed under Galveston County Clerk's File No 9510390

 100-3059373 5



- 10 The Texas Pipe Line Company easement(s) as set forth and defined by instrument(s) recorded in Volume 603, Page 135 and Volume 599, Page 388 and Clerk's File No 8450653 and 9904738 of the Clerk's Records of Galveston County, Texas as shown on survey dated July 30, 2010 prepared by Scott R Sheridan, RPLS No 6171
- 11 Any portion of the subject property lying within the boundaries of a public or private roadway, where dedicated or not including but not limited to any portion described in Volume 92, Page 610 and Volume 118, Page 417 in the records in the Office of Galveston County, Texas and a Genesis Pipeline located therein as marked as shown on survey dated July 30, 2010 prepared by Scott R Sheridan, RPLS No 6171
- 12 Reservation of all oil, gas and other minerals, royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument filed for record under Volume 643, Page 367, Volume 965, Page 159 and Volume 997, Page 541, of the Clerk's Records of Galveston County, Texas Waivers of Surface Rights filed in the Clerk's Records of Galveston County, Texas under instrument numbers 2010048662, 2010048663, 2010048660, 2010053392, 2010053389, 2010053395, 2010048659, and 2010048661

As to Tract B

- 1 Southwestern Bell Telephone Company easement(s) as set forth and defined by instrument(s) filed for record under Galveston County Clerk's File No(s) 9847780 as shown on survey dated July 30, 2010 prepared by Scott R Sheridan, RPLS No 6171
- 2 Reservation of all oil, gas and other minerals, royalties, bonuses, rentals and all other rights in connection with same as set forth in instrument filed for record under Volume 739, Page 450, of the Clerk's Records of Galveston County, Texas Waivers of Surface Rights filed in the Clerk's Records of Galveston County, Texas under instrument numbers 201053390, 201053388, 201053393, 2010053394 and 201053391
- 3 Any portion of the subject property lying within the boundaries of a public or private roadway, where dedicated or not

As to Tracts A and B

- 1 Subject to the zoning ordinances now in force in the city of any governing municipality
- 2 Standard Grazing Lease dated as of May 19, 2010 by and between the Estate of George A Bofysil, Jr, as Lessor and Blue Water Cattle Company, as Lessee, as partially assigned, partitioned and amended pursuant to Partial Assignment, Assumption and Partition of Lease between the Estate of George A Bofysil, Jr, as Assignor, and Yellowstone Hill Country Ranching, LLC, as Assignee as of the date of this deed

Exhibit B - Page 2



HOU 3059373 5



- 3 Subject to the following item(s) as shown on survey dated July 30, 2010 prepared by Scott R. Sheridan, RPLS No. 6171
- a Rights or claims, if any of fence(s) traversing the utility easement(s)
 - b Genesis pipeline markers across Tract 1 that lies within the roadway
 - c Overhead electric, towers and guy anchors affecting Tract 1



Exhibit B - Page 3



FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Mary Ann Daigle

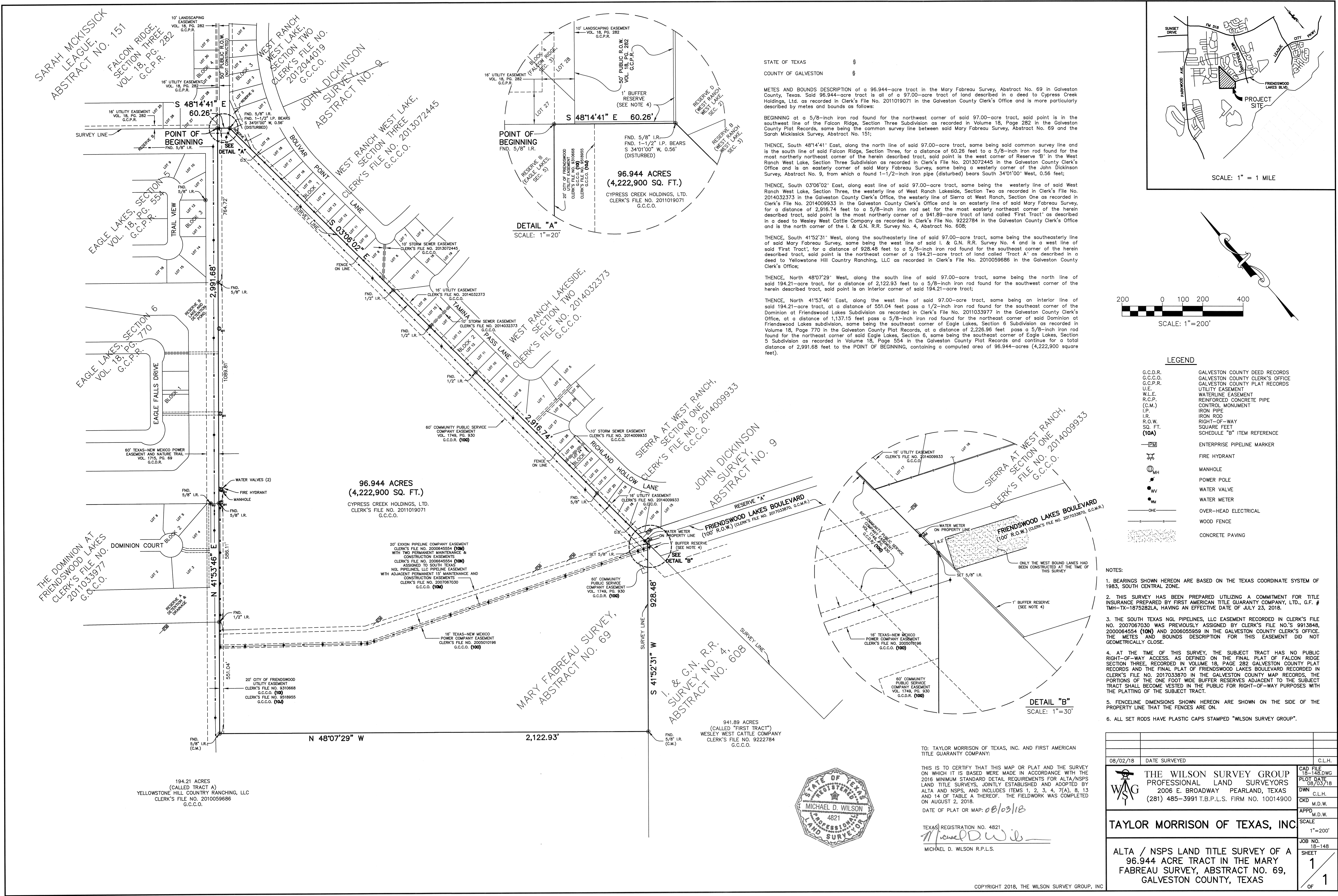
2010059686

December 01, 2010 01 41 12 PM

FEE \$76 00

Mary Ann Daigle, County Clerk

Galveston County, TEXAS



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;

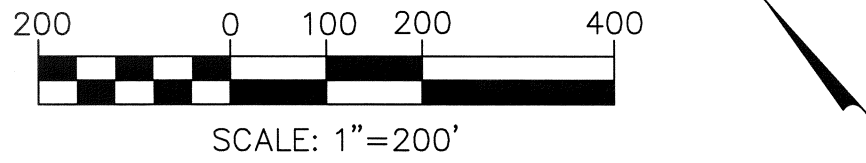
THENCE, South 48°14'41" East, along the north line of said 97.00-acre tract, same being said common survey line and is the south line of said Falcon Ridge, Section Three, for a distance of 60.26 feet to a 5/8-inch iron rod found for the most northerly northeast corner of the herein described tract, said 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 northeast 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 "First Tract" 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 Domain 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 Domain 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 2,228.98 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).



LEGEND	
G.C.D.R.	GALVESTON COUNTY DEED RECORDS
G.C.C.O.	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
—EPM—	ENTERPRISE PIPELINE MARKER
⊗	FIRE HYDRANT
⊕	MANHOLE
⊙	POWER POLE
⊙	WATER VALVE
⊙	WATER METER
—OHE—	OVER-HEAD 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. # TMH-TX-1875282A, HAVING AN EFFECTIVE DATE OF JULY 23, 2018.
 3. THE SOUTH TEXAS NGL PIPELINES, LLC EASEMENT RECORDED IN CLERK'S FILE NO. 200708701 WAS PREVIOUSLY ASSIGNED BY CLERK'S FILE NO.'S 991384B, 2000064554 (10A) AND 2006055959 IN THE GALVESTON COUNTY CLERK'S OFFICE. THE METES AND BOUNDS DESCRIPTION FOR THIS EASEMENT DID NOT GEOMETRICALLY CLOSE.
 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 PLATING 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".

TO: TAYLOR MORRISON OF TEXAS, INC. AND FIRST AMERICAN TITLE GUARANTY COMPANY;

THIS IS TO CERTIFY 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 AUGUST 2, 2018.

DATE OF PLAT OR MAP: 08/03/18

TEXAS REGISTRATION NO. 4821

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



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

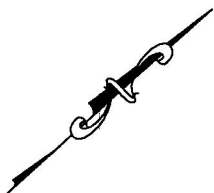

Michael D. Wilson, R.P.L.S.

Registration No. 4821

08/03/18



0 100 200
SCALE: 1"=200'



97.00 ACRES
CYPRESS CREEK HOLDINGS, LTD.
CLERK'S FILE NO. 2011019071
G.C.C.O.

SIERRA AT WEST RANCH,
SECTION ONE
CLERK'S FILE NO. 2014009933
NO. G.C.C.O.

60' COMMUNITY PUBLIC SERVICE
COMPANY EASEMENT
VOL. 1749, PG. 930
G.C.D.R.

16' UTILITY EASEMENT
CLERK'S FILE NO. 2014009933
G.C.C.O.

PROPOSED
FRIENDSWOOD
BOULEVARD

THE DOMINION AT
FRIENDSWOOD LAKES
CLERK'S FILE NO. 2011033977
G.C.C.O.

20' SOUTH TEXAS NGL PIPELINES, LLC
PIPELINE EASEMENT WITH ADJACENT
PERMANENT 15' MAINTENANCE AND
CONSTRUCTION EASEMENTS
CLERK'S FILE NO. 2007067030
G.C.C.O.

16' TEXAS-NEW MEXICO
POWER COMPANY EASEMENT
CLERK'S FILE NO. 2005010196
G.C.C.O.

60' COMMUNITY
PUBLIC SERVICE
COMPANY EASEMENT
VOL. 1749, PG. 930
G.C.D.R.

RESERVE A
DEFENTION &
DRAINAGE

$\Delta = 04^{\circ}28'33''$
 $R = 2,125.00'$
 $L = 166.00'$
 $CH = S 51^{\circ}35'52'' E, 165.96'$

$\Delta = 87^{\circ}20'39''$
 $R = 100.00'$
 $L = 152.44'$
 $CH = S 10^{\circ}09'50'' E, 138.11'$

$\Delta = 08^{\circ}22'22''$
 $R = 2,500.00'$
 $L = 365.33'$
 $CH = S 38^{\circ}12'08'' W, 365.01'$

20' CITY OF FRIENDSWOOD
UTILITY EASEMENT
CLERK'S FILE NO. 9310668
G.C.C.O.
CLERK'S FILE NO. 9518955
G.C.C.O.

SALE TRACT
9.170 ACRES
(399,438 SQ. FT.)

POINT OF
BEGINNING
WESTERLY CORNER
OF 97.00 ACRES

N 48°07'29" W 930.00'

N 48°07'29" W

1,192.92'

941.89 ACRES
(CALLED "FIRST TRACT")
WESLEY WEST CATTLE COMPANY
CLERK'S FILE NO. 9222784
G.C.C.O.

SOUTHERLY
CORNER
OF 97.00 ACRES

S 41°52'31" W

848.64'

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

194.21 ACRES
(CALLED TRACT A)
YELLOWSTONE HILL
COUNTRY RANCHING, LLC
CLERK'S FILE NO. 2010059686
G.C.C.O.

NOTES:

1. A SEPARATE METES AND BOUNDS DESCRIPTION HAS BEEN PREPARED IN CONNECTION WITH THIS EXHIBIT MAP.
2. THIS TRACT WAS CALCULATED USING INFORMATION SCALED FROM A SCHEMATIC DEVELOPMENT PLAN FOR "AVALON AT FRIENDSWOOD" PROVIDED BY TAYLOR MORRISON.
3. THIS TRACT HAS NOT BEEN SURVEYED ON THE GROUND AND THE PROPERTY CORNERS HAVE NOT BEEN SET.

COPYRIGHT 2019, THE WILSON SURVEY GROUP, INC.

DWN: C.L.H.	CAD FILE: 18-148(EXHIBIT-9 A0).dwg	SCALE: 1"=200'	JOB # 18-148
THE WILSON SURVEY GROUP PROFESSIONAL LAND SURVEYORS 2006 E. BROADWAY PEARLAND, TEXAS T.B.P.L.S. FIRM NO. 10014900			
ORIGINAL PLOT DATE: 01/18/19	SHEET 1 OF 1		

TAYLOR MORRISON OF TEXAS, INC.

SAVE AND EXCEPT

Taylor Morrison of Texas, Inc.
9.170 Acres
Sale Tract

Mary Fabreau Survey
Abstract No. 69

STATE OF TEXAS §

COUNTY OF GALVESTON §

METES AND BOUNDS DESCRIPTION of a 9.170-acre tract in the Mary Fabreau Survey, Abstract No. 69 in Galveston County, Texas. Said 9.170-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 the westerly corner of said 97.00-acre tract, said point is an interior corner of a 194.21-acre tract of land (called Tract "A") described in a deed to Yellowstone Hill Country Ranching, LLCC as recorded in Clerk's File No. 2010059686 in the Galveston County Clerk's Office;

THENCE, North 41°53'46" East, along the northwesterly line of said 97.00-acre tract, same being an interior line of said 194.21-acre tract for a distance of 425.53 feet to the northerly corner of the herein described tract;

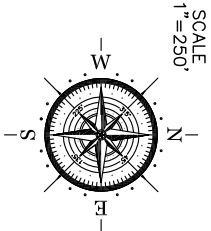
THENCE, South 49°21'36" East, 25-feet south of and parallel to the proposed southwesterly line of Friendswood Lakes Boulevard (based on a width of 100-feet) and along the northeasterly line of the herein described tract for a distance of 632.07 feet to the point of curvature of a curve to the left;

THENCE, continuing 25-feet south of and parallel to the proposed southwesterly line of Friendswood Lakes Boulevard, same being the northeasterly line of the herein described tract, and with said curve to the left, having a radius of 2,125.00 feet, a central angle of 04°28'33", (chord bears South 51°35'52" East, 165.96 feet), for an arc distance of 166.00 feet to a point of reverse curvature;

THENCE, continuing along the northeasterly line of the herein described tract, and with said curve, having a radius of 100.00 feet, a central angle of 87°20'39", (chord bears South 10°09'50" East, 138.11 feet), for an arc distance of 152.44 feet to the point of curvature of a curve to the right;

THENCE, along the southeasterly line of the herein described tract and with said curve to the right having a radius of 2,500.00 feet, a central angle of 08°22'22", (chord bears South 38°12'08" West, 365.01 feet), for an arc distance of 365.33 feet to a point in the southwesterly line of the aforementioned 97.00-acre tract, same being the northeasterly line of the aforementioned 194.21-acre tract;

THENCE, North $48^{\circ}07'29''$ West, along the southwesterly line of said 97.00-acre tract, same being the northeasterly line of said 194.21-acre tract, for a distance of 930.00 feet to the POINT OF BEGINNING, containing a computed area of 9.170-acres (399,438 square feet).

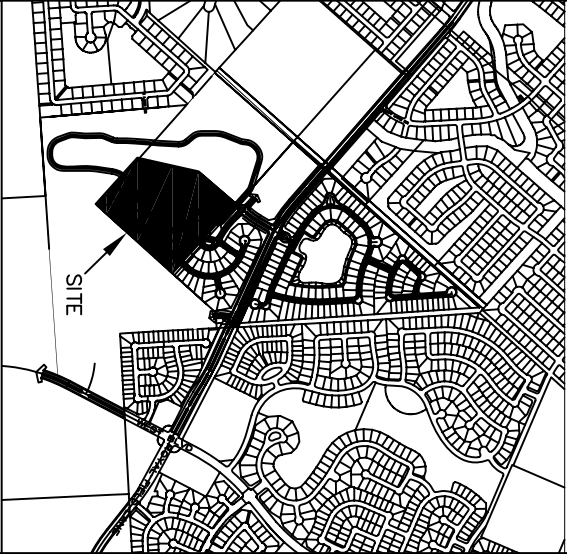


RESIDUE 194.21 ACRE TRACT "A"
YELLOWSTONE HILL COUNTRY
RANCHING L.L.C.
C.F.#2010059686

26.92 ACRE TRACT "B"
YELLOWSTONE HILL COUNTRY
RANCHING L.L.C.
C.F.#2010059686

CONSTANCE CLEAVES BRAKEBILL
M FABREAU SURVEY A-69
CALLED 97.00 ACRES
C.F.#2018062322

WESLEY WEST CATTLE CO
I & GN RR SURVEY A-608
CALLED 456.02 ACRES
F.C.#007-99-1074



LEGAL DESCRIPTION
A TRACT OF LAND CONTAINING 28.2240 ACRES (1,229,438 SQUARE FEET) 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 IN CLERK'S FILE NUMBER 2010059686 OF THE GALVESTON COUNTY DEED RECORDS, SAID 28.2240 ACRE TRACT BEING FURTHER DESCRIBED BY METES AND BOUNDS AS ATTACHED.

AVALON AT FRIENDSWOOD

DATE 01/10/2019

PRO-SURV, LLC
T.B.P.L.S. FIRM #10119300
P.O. BOX 1366, FRIENDSWOOD, TX 77549
PHONE: 281-996-1113 FAX: 281-996-0012
PROFESSIONAL SURVEY AND MAPPING SERVICES
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PROJECT#PST1901108

PRO-SURV

SURVEYING AND MAPPING
EMAIL: orders@prosurv.net
T.B.P.L.S. FIRM #10119300
P.O. BOX 1366
FRIENDSWOOD, TEXAS 77549
PHONE: 281-996-1113
CONTACT: TIM LESAK, RPLS

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METES AND BOUNDS DESCRIPTION 28.2240 ACRE (1,229,438 SQ. FT.) TRACT OUT OF LOT 4, BURGESS SUBDIVISION MARY FABREAU SURVEY, ABSTRACT 69 HARRIS COUNTY, TEXAS

A TRACT OF LAND CONTAINING 28.2240 ACRES (1,229,438 SQUARE FEET) 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 IN CLERK'S FILE NUMBER 2010059686 OF THE GALVESTON COUNTY DEED RECORDS, SAID 194.21 ACRES BEING OUT OF AND A PART OF LOTS 1-3, 13-16 AND 19-20 OF THE DAVID FAHEY SUBDIVISION AS RECORDED IN VOLUME 118, PAGE 417 AND ALSO BEING OUT OF AND A PART OF LOT 4 OF THE BURGESS SUBDIVISION AS RECORDED IN VOLUME 119, PAGE 14, BOTH SUBDIVISIONS BEING SITUATED IN THE GEO PATTERSON SURVEY, ABSTRACT NUMBER 645 AND THE MARY FABREAU SURVEY, ABSTRACT NUMBER 69, GALVESTON COUNTY, TEXAS SAID 28.2240 ACRE TRACT BEING FULLY OUT OF AND PART OF SAID LOT 4 OF THE BURGESS SUBDIVISION AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID 194.21 ACRE TRACT, BEING IN THE NORTHERLY LINE OF A TRACT AS CONVEYED TO WEST CATTLE COMPANY IN FILM CODE NUMBER 007-99-1074 AND BEING THE SOUTH CORNER OF A TRACT AS CONVEYED TO CONSTANCE CLEAVES BRAKEBILL IN CLERK'S FILE NUMBER 2018062322;

THENCE SOUTH 43°42'42" WEST, ALONG SAID NORTH LINE OF SAID WEST CATTLE COMPANY TRACT AND SOUTH LINE OF SAID 194.21 ACRE TRACT, A DISTANCE OF 1,220.64 FEET TO AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 46°17'30" WEST, ALONG THE COMMON BOUNDARY LINE OF SAID WEST CATTLE COMPANY TRACT AND 194.21 ACRE TRACT, A DISTANCE OF 194.41 FEET TO THE MOST NORTHWESTERLY CORNER OF SAID WEST CATTLE COMPANY TRACT AND BEING THE EAST CORNER OF A CALLED 26.92 ACRE TRACT DESCRIBED AS TRACT "B" IN SAID DEED TO YELLOWSTONE HILL COUNTRY RANCHING LLC;

THENCE NORTH 46°17'25" WEST, ALONG THE EASTERN LINE OF SAID 26.92 ACRE TRACT, A DISTANCE OF 540.94 FEET TO A POINT FOR CORNER OF THE HEREIN DESCRIBED TRACT, SAID POINT LYING WITHIN A LAKE/DETENTION RESERVE;

THENCE NORTH 14°10'00" EAST, CROSSING SAID 194.21 ACRE TRACT WITHIN SAID 38.99 ACRE LAKE/DETENTION RESERVE, A DISTANCE OF 741.25 FEET TO AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

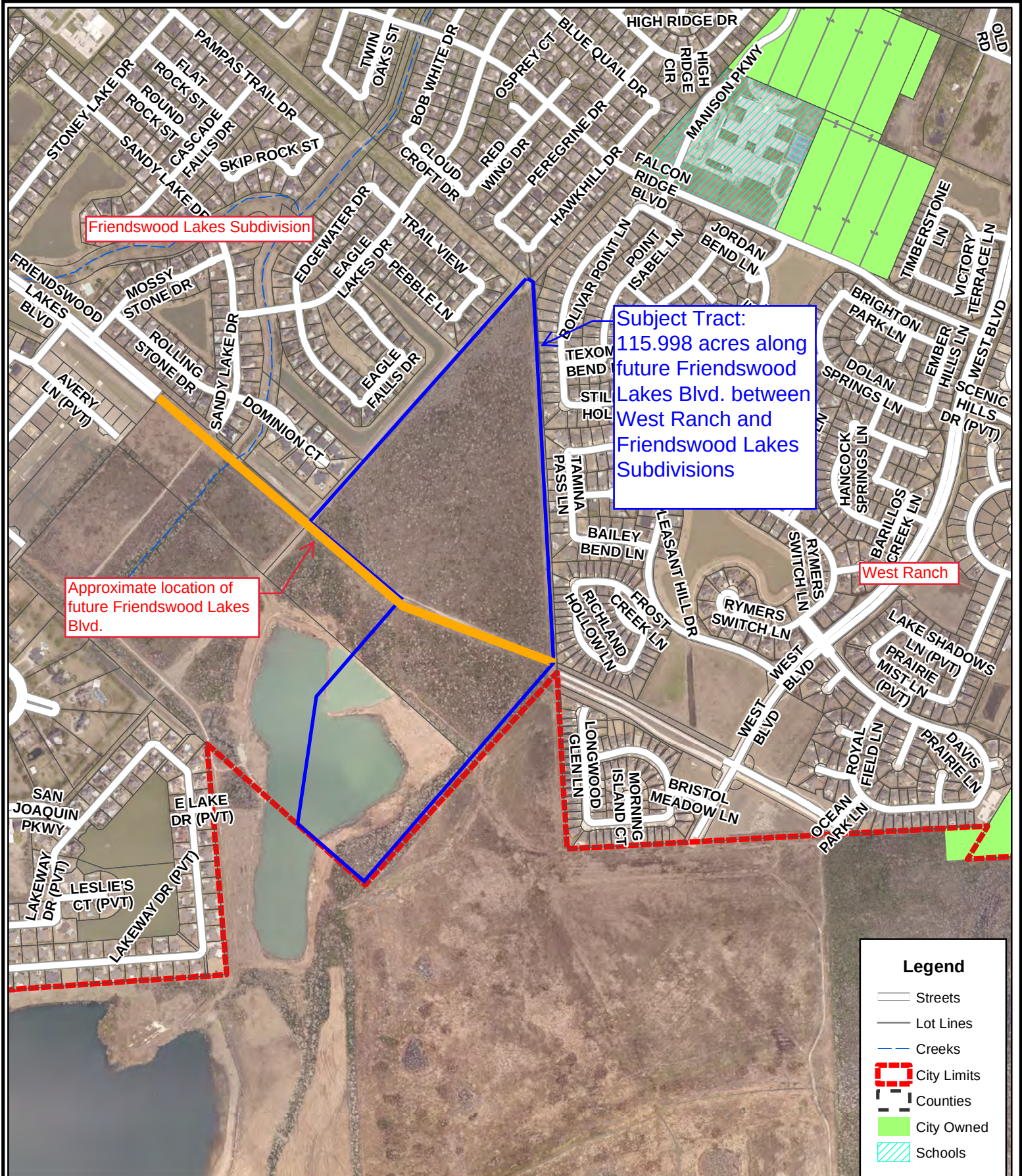
THENCE NORTH 42°33'31" EAST, A DISTANCE OF 576.23 FEET TO A POINT IN THE NORTHEAST PROPERTY LINE OF SAID 194.21 ACRE TRACT, ALSO BEING THE SOUTHWEST PROPERTY LINE OF SAID BRAKEBILL TRACT;

THENCE SOUTH 46°16'21" EAST, ALONG SAID COMMON LINE, A DISTANCE OF 1,112.46 FEET, RETURNING TO THE POINT OF BEGINNING AND CONTAINING 28.2240 ACRES (1,229,438 SQUARE FEET), MORE OR LESS, WITH APPROXIMATELY 15.2360 ACRES BEING SUBMERGED WITHIN SAID LAKE/DETENTION RESERVE.

AREA IN LAKE IS APPROXIMATED AND DERIVED FROM AN ON THE GROUND SURVEY PERFORMED FEB. 2, 2015.

DIMENSIONS LISTED HEREON ARE DERIVED FROM A PROPERTY EXHIBIT PROVIDED BY DEVELOPER.

SEE PROJECT # PS1901108 FOR DRAWING OF ABOVE DESCRIBED TRACT AS PREPARED BY PRO-SURV, LLC,
P.O. BOX 1366, FRIENDSWOOD, TEXAS, 77546, PHONE (281) 996-1113,

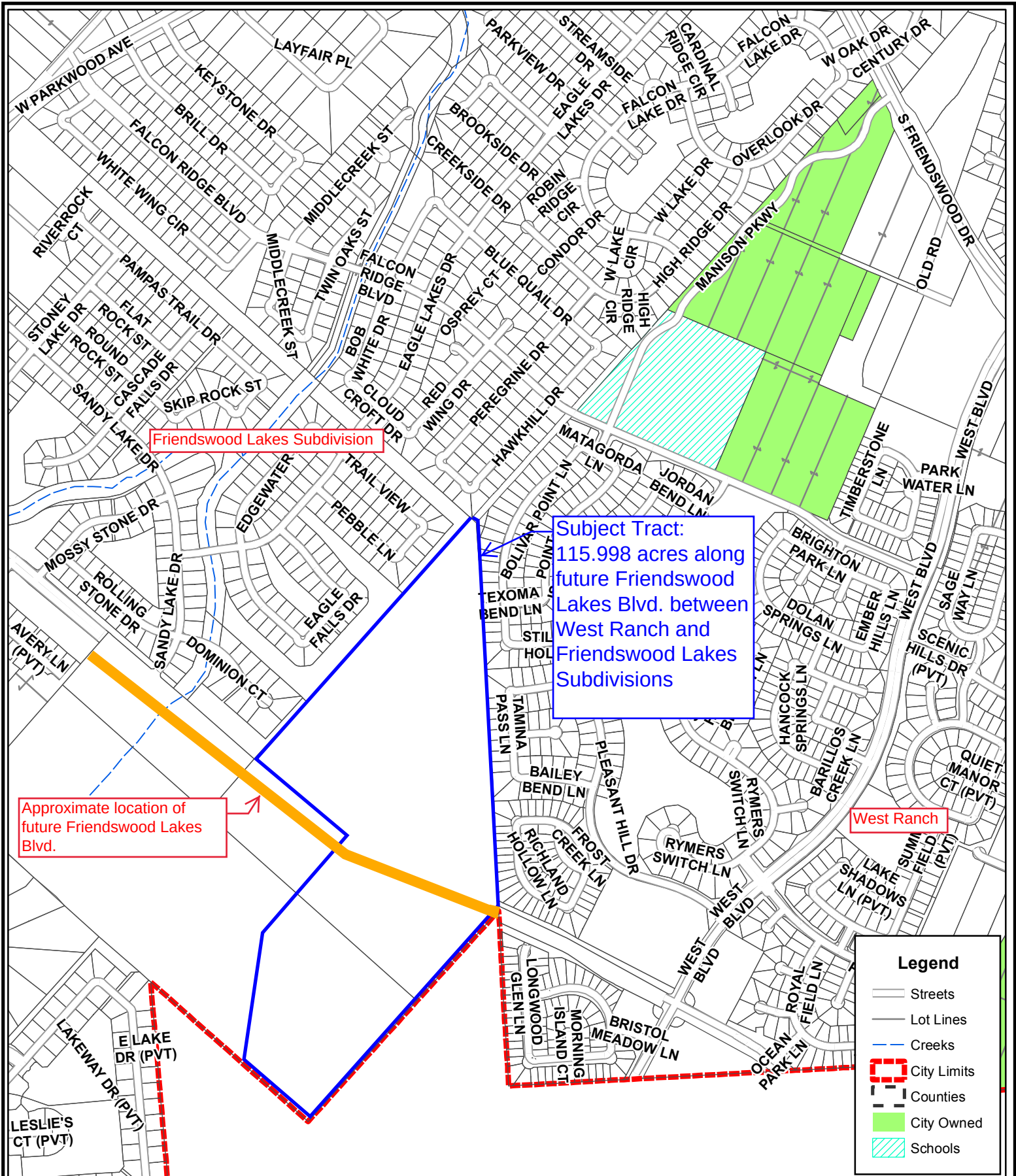


City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546
(281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 945'



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

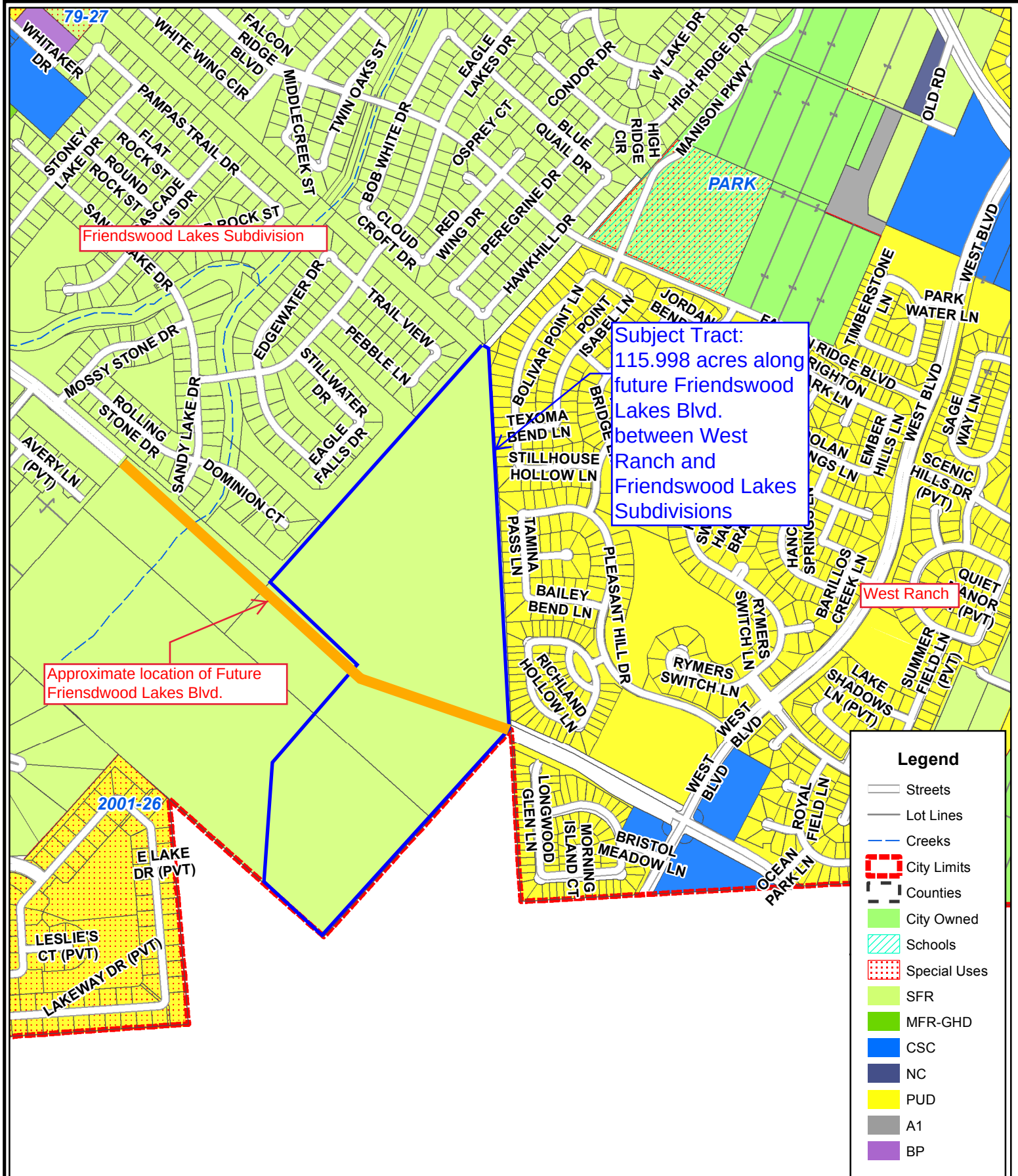


City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546
(281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 945'



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.



City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546
(281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 968'

Ordinance Exhibit "B"

**AVALON AT FRIENDSWOOD
PLANNED UNIT DEVELOPMENT
±115.998 Acres**

**Prepared For:
Taylor Morrison**

PREPARED BY:



24275 Katy Freeway, Suite 200
Katy, TX 77494

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 $\pm$ 116 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 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. 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)	Zero Lot Line (Y/N)	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	Y	65%
Single Family Residential	4	8,400	70	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A	Y	65%
Single Family Residential	3.5	9,600	80	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A	Y	65%
Single Family Residential	3	10,800	90	25 (Typ)/ 20 (cul de sac)	15	5	10	40	A	Y	65%

A - Parking is required in accordance with the Parking Group Table in the Design Criteria Manual

2) Lake Lots

- On lots that back up to a lake or detention area, the rear property line will extend to the lake edge.
- A drainage easement will be established at the rear of the lots for the required maintenance berm of the pond. Buildings, fences, and other structures, plantings, flower beds and other landscaping are not permitted in drainage easements

3) Cul de Sacs and knuckles

- Cul de sacs must have a minimum of a sixty (60) foot right of way radius.
- Cul de sacs must not exceed 900 feet when measured along the centerline from the nearest intersection. However, the following condition applies:
 - 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.
- 6) Lake/Detention Maintenance
 1. A private maintenance agreement between the HOA for Avalon at Friendswood and the adjacent property owner and/or future HOA will be provided at the time of final plat recordation of any sections utilizing the lake for detention

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 31% 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	+/- 27.0
Easements	+/- 4.9
Landscape/Open Space	+/- 4.3
TOTAL	+/- 36.2

*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 3 phases. The initial phase will consist of approximately 100 to 120 lots and will be located within the eastern half of the property north of Friendswood Lakes Blvd as well as the portion of development along the lake on the south side of Friendswood Lakes Blvd. Phase two will include the remainder of the land on the north side of Friendswood Lakes Blvd for a total of approximately 40 to 50 lots. The final phase will include the remainder of the property on the south side of Friendswood Lakes Blvd, approximately 40 to 50 lots. It is proposed that there will be approximately 200-210 total lots within the 3 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.

IV. EXHIBITS

Exhibit A – Area Map

Exhibit B – Conceptual Development Plan

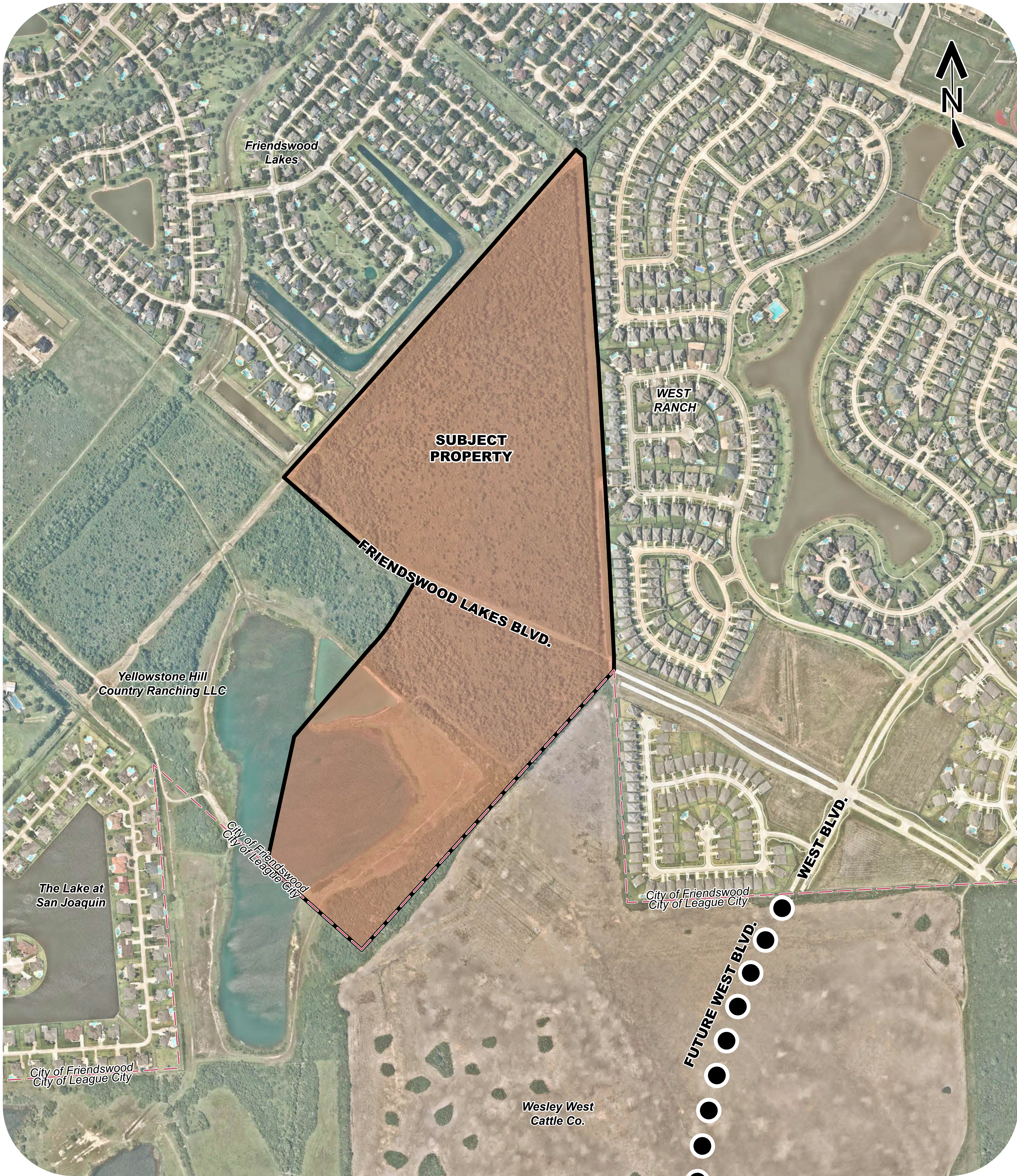


EXHIBIT
A

an area map for
AVALON
AT FRIENDSWOOD
± 114.0 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
DECEMBER 17, 2018

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LOT SUMMARY

60'x130'	44 LOTS	22%
70'x130'	118 LOTS	57%
80'x130'	29 LOTS	14%
90'x130'	15 LOTS	7%

TOTAL 206 LOTS

EXHIBIT
B

a schematic development plan for
AVALON
AT FRIENDSWOOD
±114.0 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
JANUARY 24, 2019

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Memo

To: Mayor and City Council

From: Joe Matranga, P&Z Chairman

Date: April 1, 2019

Re: Zone Classification Change Request from Single Family Residential (SFR) to Planned Unit Development (PUD) for a residential development, "Avalon at Friendswood"

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

87.774 acres, more or less, being a portion of a called 96.944 acres tract in the Mary Fabreau Survey, Abstract No. 69 in Galveston County, Friendswood, Texas, save and except a 9.170 acre portion of the same tract; and

28.2240 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

At the Planning and Zoning Commission meeting held March 21, 2019, following the Joint Public Hearing, the City of Friendswood Planning and Zoning Commission voted 4 to 3 (Guenther, Matranga, and Sasson opposed) to approve the zone change request referenced above.

Reasons for opposition include:

- Limited access to the lakes; only 40 homes have direct access
- Percentages of lot sizes not comparable to other PUD's
- Lack of amenities – no trails, ponds, small parks etc.; lakes being advertised as an amenity are limited to some property owners with

limited views for remainder of the property owners (20% of lots). Other developments by same developer have more amenities.

Reasons for favor include:

- Market conditions – provide a variety of lot sizes for aging population and millennials who do not want large lots
- Meets the spirit of the law – density requirement for 90 ft lots is 2.7 units per acre; Avalon is proposing
- Quality builder; strong track record building homes that people want
- Meets general purpose of Planned Unit Development (per Zoning Ordinance)
- Private streets



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 3, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed Amendments to Code of Ordinances Appendix C, Zoning Ordinance "Section 15. Amendments" and Chapter 70 "Vacation of street, drainage, utility or other public easement" to change from joint public hearings to separate public hearings and to amend ordinance wording to be consistent with state law

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: 2nd reading of Ordinance

Degree of importance: Critical ☐ Significant ☐ Elective ☐

Expenditure Required: Amount Budgeted:

Appropriation Required: Source of Funds:

FINANCE APPROVAL:

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

There has been discussion over the past couple of years regarding the possibility of changing from the current Joint Public Hearing process to separate Public Hearings by the Planning and Zoning Commission and City Council.

A few changes have occurred since the decision to implement the current process.

- Up until 2012, City Council met twice a month, similar to Planning and Zoning, which allowed ordinances to move through the process more quickly; City Council now meets once a month.
- Prior to 2015, the City contracted legal services and multiple attorneys were able to attend both City Council and Planning and Zoning meetings when both were held on the same night. Now that we have a City Attorney on staff, she can only attend one meeting resulting in the Commission having legal representative to attend their meetings upstairs.
- Often times, the Commissioners feel rushed to forward a recommendation back down to City Council so that consideration of an applicant's ordinance can take place that same night. If a recommendation is not forwarded that night, it delays an applicant until the next Council meeting (30 days).

- There have also been multiple instances of having to relocate a large number of residents from the Council Chambers to the second floor conference room. Disruption of the Council meeting and space constraints in the conference room upstairs are concerns.

The Planning and Zoning Commission is also in favor of changing their regular meeting days from the 1st and 3rd Thursdays to the 2nd and 4th Thursdays to reduce the dead time between P&Z's public hearing date and Council's public hearing date. A resolution for this change will be included on the May agenda if/when the second reading of this ordinance takes place. The flow chart and the schedule in the attachments have been revised to reflect the change in meeting days.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Pros:

- Allows the presence of legal counsel.
- All meetings would be recorded and televised.
- Council Chambers provides a formal setting and accommodates more attendees.
- A regular scheduled meeting date is less confusing for applicants.
- A regular scheduled meeting date helps Commissioners and Staff with scheduling.
- Allows P&Z to present their recommendation to City Council, if needed.

Cons:

- Increased time frame for applicants by an average of 18 days.
- Requires staff and applicants to return on another meeting day.

RECOMMENDATIONS

The Planning and Zoning Commission voted unanimously (6-0; Commissioner Perry was absent) in favor of the proposed amendments.

ATTACHMENTS

[Ordinance](#)
[PZ Recommendation Memo](#)

(Title: An ordinance amending Appendix C “Zoning,” Section 15. “Amendments” and Chapter 70 “Vacation of Street, Drainage, Utility or other Public Easement” to change from joint public hearings to separate public hearings and to amend ordinance wording to be consistent with state law.)

ORDINANCE NO. T2019-13

AN ORDINANCE AMENDING APPENDIX C – “ZONING,” SECTION “AMENDMENTS” AND CHAPTER 70 “VACATION OF STREET, DRAINAGE, UTILITY OR OTHER PUBLIC EASEMENT” TO CHANGE FROM JOINT PUBLIC HEARINGS TO SEPARATE PUBLIC HEARINGS AND TO AMEND ORDINANCE WORDING TO BE CONSISTENT WITH STATE LAW; PROVIDING A PENALTY FOR VIOLATION IN AN AMOUNT NOT TO EXCEED \$2,000, OR AS OTHERWISE PROVIDED BY LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Friendswood, being a home rule municipality, is continually reviewing the provisions of the City Code of Ordinances, specifically procedures for adopting and enforcing zoning regulations; and

WHEREAS, the Planning and Zoning Commission acts as the Zoning Commission for the City of Friendswood, as allowed by Local Government Code Chapter 211.007; and

WHEREAS, the City Council wishes to allow the Planning and Zoning Commission to hold public hearings and submit a final report prior to the governing body holding a public hearing; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted a joint public hearing in the time and manner required by law; and

WHEREAS, the Planning and Zoning Commission has filed its written report with City Council, which recommends _____ of the amendments; and

WHEREAS, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. FINDINGS OF FACT.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The City of Friendswood Code of Ordinances, Appendix C, “Zoning”, Section 15. “Amendments” is amended to read as follows:

Appendix C - Zoning

Section 15. - Amendments.

A. *Authority.* The Ccity Council may from time to time amend, supplement, or change by ordinance the boundaries of the district or the regulations herein established.

B. *Submission to Pplanning and Zoning Commission.* Before taking action on any proposed amendment, supplement or change by ordinance of a district boundary or regulation, the City Council shall submit the proposed revision to the Pplanning and Zoning Commission for its recommendation and report. The Pplanning and Zoning Commission shall make its report within 30 days following the close of the public hearing thereon.

C. *Public hearings.* Prior to adopting any ordinance amending, supplementing, or changing the boundaries of any district or any regulation herein established, the ~~city council and the~~ Pplanning and Zoning Commission and City Council shall ~~jointly~~ hold a public hearings at which any person desiring to be heard regarding such matter shall be given an opportunity to do so. ~~The final report by the planning and zoning commission, as required in subsection B of this section, shall not be acted upon by such commission until the conclusion of such joint public hearing.~~

City Council may not hold a public hearing until it receives the final report of the Planning and Zoning Commission.

D. *Notice of ~~joint~~ public hearings.*

1. Notice of any ~~joint~~ public hearing involving a proposed change in a zoning classification shall be given, in writing, to each owner of real property, as indicated by the most recently approved city tax roll, which lies within 200 feet of any property on which said change in classification is proposed, such notice to be given ~~not less than~~ before the tenth days ~~prior to the~~ before the hearing date.

2. Notice of all ~~joint~~ public hearings shall also be published in the official newspaper of the City, or a newspaper having general circulation in the City, ~~at least~~ before the fifteenth ~~15~~ days before the public prior to the date on which such hearing is to be held.

3. In addition, notice of any ~~joint~~ public hearing involving a proposed change in zoning classification shall be given by causing a sign to be erected on the property which would be affected by the proposed change stating the time and place of the hearing. Such sign shall be erected not less than ten days prior to the date on which such hearing is to be held.

4. Before the tenth day before the hearing date, notice of any ~~joint~~ public hearing involving a proposed change in a zoning classification affecting residential or multifamily zoning shall be given, in writing, via United States Postal Service, to each school district in which the property for which the proposed change in classification is located.

E. *Vote required in the event of protest.* In the event of a written protest to any such proposed amendment, supplement, or change to a district boundary or regulation signed by the owners of 20 percent or more either of the area of the lots or land included in such proposed change or those immediately adjacent to the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, such amendment shall not become effective except by the affirmative ~~favorite~~ vote of three-fourths of all members of City Council. In computing the percentage of land area, the area of streets and alleys shall be included.

Section 3. The City of Friendswood Code of Ordinances, Chapter 70, “Vacation of Street, Drainage, Utility or other Public Easement” is amended to read as follows:

Chapter 70-25. – Vacation of street, drainage, utility or other public easement.

(a) The ~~Ceity Ceouncil~~ may consider a request to vacate ~~will provide for the vacation, abandonment or relocate relocation of~~ an existing road/street right-of-way, or any drainage, utility or other public easement, upon receipt satisfaction of the following items conditions:

(1) A property owner whose property abuts a public easement or right-of-way, and is located within the corporate limits, makes application to the city requesting the vacation, in whole or in part, of the abutting public easement or right-of-way;

(2) A completed application form is submitted to the ~~Ceommunity Ddevelopment~~ Department, identifying the entire limits or extent of the right-of-way/easement and the limits of the section to be abandoned, if different;

(3) Such request and application shall be accompanied by an exhibit and a metes and bounds description of the vacated right-of-way which has been prepared by a registered professional land surveyor;

(4) Written confirmation from all owners of real property abutting the easement, utility companies, drainage districts and/or other interested agencies stating they have been notified of the requested right-of-way vacation and a letter of "no objection" from each of the concerned entities.

(5) The owner shall submit a certificate or letter from a title attorney indicating a current search and certifying to at least the following concerning the title to the land: a statement of records examined and date of examination; description of the property in question, including a metes and bounds description of the tract; name of the fee owner as of the date of examination, and the date, file number, date of filing, and volume and page of any lienholders; and general description of any easement or fee strips granted along with the file number, date of filing, and volume and page of recording.

(6) An application fee shall be required of each applicant seeking a vacation of any right-of-way. This fee shall be set by resolution and printed in Appendix D to this Code.

(b) Upon receipt of all information, ~~the Ceity staff shall schedule a joint public hearings and provide notice in accordance with Appendix C Zoning Ordinance. with the city council and the planning and zoning commission. The city shall provide written notice of such joint public hearing to each owner of real property, as indicated by the most recently approved city tax roll, whose~~

~~property abuts or lies within 200 feet of the existing right of way/easement (in its entirety). At the public hearing, any person desiring to be heard regarding such a matter will be given an opportunity to do so. The following items are required by the city to hold a joint public hearing:~~

- ~~(1) Application;~~
- ~~(2) Metes and bounds description;~~
- ~~(3) Title report;~~
- ~~(4) Fees; and~~
- ~~(5) Utility letters.~~

~~Notice of said hearing shall be given by publication one time in a paper of general circulation in the city stating the time and place of hearing which shall not be less than 15 days nor more than 30 days from the date of the public publication.~~

~~(c) After compliance with the above items, the joint public hearing shall be held. Within 30 days of the hearing, the planning and zoning commission shall make a recommendation to city council. The city council shall decide whether to grant or deny the request. If a vacation request to vacate, abandon, or relocate an existing road/street right-of-way, or any drainage, utility or other public easement is granted, an ordinance and quitclaim deed will be prepared (ordinances must be heard in accordance with the Ccity Charter).~~

~~(d) When required by state law, an appraisal shall be made for an application for vacation of a public right-of-way. The applicant shall pay for all appraisal fees incurred. The appraisal shall be requested to determine the market value of the Ccity's interest in the public right-of-way. No appraisal shall be required for an application for vacation of a public easement. The market value of the Ccity's interest in a public easement is deemed to be zero.~~

~~(e) An application fee shall be required of each applicant seeking a vacation of any right-of-way. This fee shall be set by resolution and printed in Appendix D to this Code.~~

Section 4. INCORPORATION INTO THE CODE, PENALTY CLAUSE.

This Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances. Violation of this Ordinance is subject to the penalty provisions contained in such Code

under Section 1-14 “General penalty for violations of Code; continuing violations”, and as otherwise provided by law. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense. An owner may take advantage of the changes to the buffering requirements without the need to provide a revised site plan, by requesting an appropriate permit, if the requested change is limited solely to the buffering requirements made on the basis of this Ordinance.

Section 5. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

Section 6. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. NOTICE.

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 1st day of April, 2019.

PASSED, APPROVED, AND ADOPTED on second and final reading this 6th day of May, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary

Memo

To: Mayor and City Council
From: Joe Matranga, P&Z Chairman
Date: April 2, 2019



Re: Proposed amendments to Appendix C Zoning Ordinance
"Section 15. Amendments" and the City of Friendswood Code
of Ordinances Chapter 70 "Vacation of street, drainage, utility or
other public easement" to change from joint public hearings to
separate public hearings and to amend ordinance wording to be
consistent with state law.

At the Planning and Zoning Commission meeting held April 1, 2019, following the Joint Public Hearing, the City of Friendswood Planning and Zoning Commission voted unanimously 6 to 0 (Commissioner Perry was absent) to approve the proposed ordinance changes referenced above.

Reasons for approval include:

- Allows the presence of legal counsel at Planning and Zoning Commission meetings. Prior to 2015, the City contracted legal services and multiple attorneys were able to attend both City Council and Planning and Zoning meetings when both were held on the same night. Now that we have a City Attorney on staff, she can only attend one of the meetings resulting in the Commission not having legal support for their meetings upstairs.
- Using Council Chambers, rather than the second floor conference room, allows all Commission meetings to be recorded and televised allowing City Council members and the public better access to the Commission's discussions.
- Council Chambers, rather than the second floor conference room, provides a more formal setting and accommodates more attendees.
- Having regular scheduled meeting dates is less confusing for applicants.
- A regular scheduled meeting date helps Commissioners and Staff with scheduling.

- Allows P&Z to present their recommendations to City Council, if needed.

The Planning and Zoning Commission will also be forwarding a recommendation to change their regular meeting days from the first and third Thursdays to the second and fourth Thursdays to help shorten the average approval duration.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: March 19, 2019

Dept. Clearances: Steven Rhea

Prepared by: Steven Rhea

Originating Department: CMO

Subject: Coastal Bend Property Development-Developer Participation Agreement

Proceeding: Ordinances 2nd reading

City Attorney Review: Yes

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: \$59,289.50

Amount Budgeted: \$0

Appropriation Required: \$59,289.50

Source of Funds:

Water Fund – Above 90 Day Reserve

FINANCE APPROVAL: *krh*

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

Coastal Bend Property Development, LP is moving forward with development of Industry Park Subdivision improvements and will be using the existing unimproved access to the City's Water Treatment Plant as an entry and roadway to their development. The Developer requested that the City enter into The Developer Participation Agreement which will allow the City to participate in the construction of public improvements (paved concrete access road). This road will provide paved access from FM 2351 to the City's Surface Water Plant No. 2. Upon completion of the road the City will reimburse an amount that does not exceed \$59,289.50 for the City's portion of construction costs of the roadway.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Entering into the Developer Participation Agreement and construction of the concrete road will provide an improved access road to the City's Regional Water Treatment Plant No. 2 taking place of the unimproved access road that currently exists at a cost significantly less than if the City constructed the roadway.

RECOMMENDATIONS

Staff recommends Council approve the agreement and authorize the Mayor to sign the Developer Participation Agreement.

ATTACHMENTS

[Ordinance](#)
[Exhibit A](#)

(Title: An ordinance approving the execution of a Developer Participation Agreement between the City of Friendswood, Coastal Bend Property Development, LP, and Ser Construction Partners, LLC.)

ORDINANCE NO. T2019-14

AN ORDINANCE APPROVING THE EXECUTION OF A DEVELOPER PARTICIPATION AGREEMENT BETWEEN THE CITY OF FRIENDSWOOD (CITY) AND COASTAL BEND PROPERTY DEVELOPMENT, LP, (DEVELOPER) AND SER CONSTRUCTION PARTNERS, LLC, (CONTRACTOR), FOR THE PURPOSE OF MAKING CERTAIN PUBLIC IMPROVEMENTS AS AUTHORIZED BY LAW.

* * * * *

WHEREAS, the Developer is the owner of land which has been platted as Industry Park Friendswood, a subdivision in the City of Friendswood, Harris County, Texas, (hereinafter referred to as the “Subdivision”); and

WHEREAS, the Developer is required to construct certain public improvements as required in this Agreement (herein referred to as the “roadway”) to serve the lots in the Subdivision; and

WHEREAS, the construction of this roadway will provide the City with paved access to the City’s Surface Water Plant No. 2 that is adjacent to the Subdivision; and

WHEREAS, the Developer elects to construct the roadway with the City’s participation, by entering into a separate construction contract with the Contractor; and

WHEREAS, in order to construct the roadway now, rather than at some undetermined time in the future, Developer requested participation from City in a lump sum amount that is less than what the City would otherwise be responsible for in the future, and;

WHEREAS, the City and Developer agree it is in the best interest of both entities to enter into a participation agreement at this time to complete the roadway.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS:

Section 1. That the City Manager is authorized to execute a Developer Participation Agreement between the City, Developer and Contractor, attached hereto as Exhibit “A” and made a part hereof for all purposes, authorizing the City to participate in the construction of the roadway that will provide the City with paved access to the City’s Surface Water Treatment No. 2.

Section 2. That if any provision or any section of this Ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PASSED AND APPROVED on first reading this 1st day of April, 2019.

PASSED, APPROVED, AND ADOPTED on second and final reading this 7th day of May, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary

DEVELOPER PARTICIPATION AGREEMENT

This Agreement is entered into this the ____ day of _____, 2019, by and between the City of Friendswood, Texas, (hereinafter referred to as the "City"), Coastal Bend Property Development, LP, a corporation (hereinafter referred to as "Developer") and SER Construction Partners, LLC, a Limited Liability Company (hereinafter referred to as the "Contractor").

WHEREAS, the Developer is the owner of land which has been platted as Industry Park Friendswood, a subdivision in the City of Friendswood, Harris County, Texas, (hereinafter referred to as the "Subdivision"); and

WHEREAS, the Developer is required to construct certain public improvements as required in this Agreement (herein referred to as the "roadway") to serve the lots in the Subdivision; and

WHEREAS, the construction of this roadway will provide the City with paved access to the City's Surface Water Plant No. Two (2) that is adjacent to the Subdivision; and

WHEREAS, the Developer elects to construct the roadway with the City's participation, by entering into a separate construction contract with the Contractor; and

WHEREAS, in order to construct the roadway now, rather than at some undetermined time in the future, Developer requested participation from City in a lump sum amount that is less than what the City would otherwise be responsible for in the future, and;

WHEREAS, the City and Developer agree it is in the best interest of both entities to enter into a Developer Participation Agreement at this time to complete the roadway.

NOW THEREFORE, in consideration of the mutual promises, covenants, obligations and benefits of this Agreement, the City, Developer and Contractor agree as follows:

COVENANTS OF DEVELOPER AND CONTRACTOR

1. Developer shall enter into a construction contract with Contractor to construct a new roadway that provides the City paved access from FM 2351 to the City's Surface Water Plant No. Two (2). The location of the roadway is set out in yellow highlights in **Exhibit "A"**, attached hereto and made a part hereof for all purposes.

2. The roadway described in Section 1 above, shall be designed by Developer's own engineer, according to the plans and specifications for the construction of such roadway as approved by the City.

3. Developer shall provide to the City a copy of the construction contract between the Developer and the Contractor, identifying the total costs for construction of the roadway. The Construction Costs for Shared Roadway Improvements describing the specific contract items, item descriptions, unit costs and the City's share of roadway construction costs is described in **Exhibit "B"**, attached hereto and made a part hereof for all purposes.

4. Developer shall be responsible for all costs associated with the construction of the roadway, including all engineering services, construction plans, permits, labor, inspections and construction management.

5. The Developer shall ensure that all federal, state and local laws are complied with during the progress of construction, a representative of the City may conduct periodic, on-the-ground inspections.

6. The Developer and the Contractor shall make this Agreement and the plans and specifications released for construction of the roadway, an integral part of the construction contract between the Developer and the Contractor. The provisions of this Agreement shall control over any conflicting provision of the construction contract between the Developer and the Contractor. Before commencing construction, the Developer shall deliver to the City Manager or his designee, a signed copy of the construction contract between the Developer and the Contractor. The Developer shall pay the Contractor for construction of the roadway in accordance with the provisions of the construction contract. It is agreed that the City has an interest in the proper performance of the construction contract and may bring suit for failure to comply with the plans and specifications. The Developer and Contractor shall provide the City with access to the roadway for the purpose of inspection of the roadway.

7. Prior to initiating any construction the roadway, the Developer shall require that the Contractor provide the City with the following construction bonds in accordance with the requirements of Texas Local Government Code Section 212.073, and which shall name the City and the Developer as beneficiaries:

a) Contractor's Performance Bond.

If the contract between the Developer and Contractor for construction of the roadway is for an amount in excess of Twenty-Five Thousand Dollars (\$25,000), a good and sufficient Performance Bond in an amount equal to 100 percent of the total contract price, guaranteeing

the full and faithful execution of the work and performance of the contract and for the protection of the City and the Developer against any improper execution of the work or the use of inferior materials. The Performance Bond is to be made in favor of the City and the Developer and shall guarantee completion of the roadway within 180 days of execution of this Agreement.

b) Contractor's Payment Bond.

If the construction contract between the Developer and the Contractor for the construction of the roadway is for an amount in excess of Twenty-Five Thousand Dollars (\$25,000), a good and sufficient Payment Bond in an amount equal to 100 percent of the total contract price (between the Developer and the Contractor), guaranteeing Contractor's payment for all labor, materials and equipment used in the construction of the roadway. The Payment Bond shall be made in favor of the City and the Developer and all persons, firms or corporations may furnish materials for or perform labor upon the roadway hereunder.

Each bond shall be in a form acceptable to the City and shall be written by a surety company duly authorized to do business in the State of Texas, provided that the City Manager shall have the right to reject any surety company for any work under this Agreement.

8. The Contractor shall, at his own expense, purchase, maintain and keep in force during the term of this Agreement, the insurance set forth below. Contractor shall not commence work on the roadway until the Contractor has obtained all of the insurance required under this Agreement and such insurance has been approved by the City, nor shall the Contractor allow any subcontractor to commence work on his subcontract until all similar insurance of the subcontractor has been obtained and approved. All insurance policies provided under this Agreement shall be written on an "occurrence" basis.

Worker's Compensation Insurance (with Waiver of Subrogation in favor of the City of Friendswood, its officers, agents and employees), with statutory limits.

Commercial General Liability occurrence type insurance (No "XCU" restrictions shall be applicable). Products/completed operations coverage must be included.

1. Bodily injury five hundred thousand dollars (\$500,000) single limit per occurrence or five hundred thousand dollars (\$500,000) each person/ five hundred thousand dollars (\$500,000) per occurrence.
2. Property Damage one hundred thousand dollars (\$100,000) per occurrence.
3. Minimum aggregate policy year limit one million dollars (\$1,000,000).

Commercial Automobile Liability Insurance (including owned, non-owned and hired vehicles coverages).

1. Minimum combined single limit of five hundred thousand dollars (\$500,000) per occurrence for bodily injury and property damage.
2. If individual limits are provided minimum limits are three hundred thousand dollars (\$300,000) per person, five hundred thousand dollars (\$500,000) per occurrence for bodily injury and one hundred thousand dollars (\$100,000) per occurrence for property damage.

All insurance shall be written by an insurer licensed to conduct business in the State of Texas, unless otherwise permitted by City. The City of Friendswood shall be named as an additional insured.

The Parties agree that the insurance required herein shall waive subrogation rights for loss or damage so that the insureds have no right to recovery or subrogation against the City of Friendswood, it being the intention of this Agreement that the required insurance policies shall protect all parties to this Agreement and be primary coverage for all losses covered by the policies.

The Parties shall provide a certificate of insurance evidencing the required coverages to:

City of Friendswood
City Manager
910 South Friendswood Drive.
Friendswood, Texas 77546

CITY RESPONSIBILITIES

1. Upon completion of the roadway, proof of payment to all persons, firms or corporations who furnished materials and/or performed labor upon the roadway, and acceptance of the improvements by the City, the City shall reimburse Developer an amount that does not exceed \$59,289.50 for the City's portion of the construction cost for the roadway. The City shall not reimburse Developer for the cost of the design plans, construction plans, permits, labor, inspections or construction management.
2. The City will designate a contact person available to answer questions on behalf of the City. The contact person for this Agreement is the City Manager or his designee.

INDEMNIFICATION

The Developer and Contractor must indemnify, hold harmless, and defend the City, its officers, agents and employees, from and against liability for any claims, liens, suits, demands, and/or actions for damages, injuries to persons (including death), property damage (including loss of use), and expenses, including court costs and attorneys' fees and other reasonable costs arising out of the Developer's or Contractor's work and activities conducted in connection with this Agreement, including all causes of action based upon common, constitutional, or statutory law, or based in whole or in part upon negligent or intentional acts or omissions of Developer or Contractor, its officers, agents, employees, sub-contractors, licensees, invitees and other persons, whether or not such injuries, death or damages are caused, in whole or in part by the alleged negligence of the City, its officers, agents or employees.

Developer and Contractor must at all times exercise reasonable precautions on behalf of and be solely responsible for the safety of its officers, agents, employees, sub-contractors, licensees, invitees and other persons, as well as their property, while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Developer or Contractor, its officers, agents, employees, subcontractors, licensees, invitees, and other persons.

The City assumes no responsibility or liability for harm, injury, or any damaging events, which are directly or indirectly attributable to premise defects, whether real or alleged, which may now exist or which may hereafter arise upon the premises responsibility for all such defects being expressly assumed by the Developer or Contractor. The Developer and the Contractor agree that this indemnity provision applies to all claims, suits, demands, and actions arising from all premise defects or conditions over which Developer or Contractor has dominion and control but not otherwise.

The City, Developer and Contractor must provide the others prompt and timely notice of any event covered which in any way affects or might affect the Developer, Contractor or City, and the City has the right to compromise and defend the same to the extent of its own interests.

DEFAULT AND TERMINATION

1. The following shall be considered an event of default by Developer under this Agreement:
 - a) Developer fails to comply with any of its duties under this Agreement;
 - b) Developer becomes insolvent;
 - c) All or a substantial part of Developer's assets are assigned for the benefit of its creditors;
 - d) A receiver or trustee is appointed for Developer;
 - e) Developer becomes delinquent on ad valorem tax payments for any property Developer owns in the City of Friendswood; or
2. It shall be a default of this Agreement if Developer fails to cure an event of default within ten (10) days of written notice to the City. If the Developer defaults under this Agreement, the City may terminate this Agreement with no further obligation to the City. If the nature of the event of default is that it cannot reasonably be cured within ten (10) days of the written notice, but the Developer begins reasonable efforts to cure the event of default within ten (10) days and diligently continues in its efforts to cure the event of default, no default of this Agreement will have occurred.
3. Upon termination due to Developer's default, City shall not be responsible for any reimbursement required hereunder.
4. The City's failure to pay the reimbursement amount set out herein is a default of this Agreement.
5. The non-defaulting party may use any action available in equity or law as a remedy to the default. No action taken by a party pursuant to provision in this Agreement shall be deemed to constitute an election of remedies. All remedies set forth in this Agreement and available in equity and law shall be cumulative and non-exclusive of any other remedy. Each of the parties has the duty to mitigate its damages.

MISCELLANEOUS TERMS

1. Independent Contractor

Developer and Contractor are engaged as independent contractors, and all of the services provided for herein shall be accomplished by Developer and Contractor in such capacity. The City will have no control or supervisory powers as to the detailed manner or method of the Developer's and Contractor's performance of the subject of this Agreement. All personnel supplied or used by Developer or Contractor shall be deemed employees of subcontractors of Developer or Contractor and will not be considered employees, agents or subcontractors of the City for any purpose whatsoever. Developer and/or Contractor shall

be solely responsible for the compensation of all such personnel, for the withholding of income, social security and other payroll taxes and for the coverage of all worker's compensation benefits.

2. Venue and Choice of Law

Venue for any cause of action arising under this Agreement is Harris County, Texas. This Agreement is governed by the laws of the State of Texas both as to interpretation and performance.

3. Assignment

The Developer and the Contractor may not assign in whole or in part any rights, duties, obligations or interest arising from this Agreement without the City's prior written consent, and such consent will not be unreasonably withheld.

4. Amendment or Modification

This Agreement, including schedules and attachments, constitutes the entire agreement of the parties. Any statements, promises, or agreements made by the City, Developer or the Contractor or their agents, which are not contained in this Agreement, are of no effect. This Agreement may be amended only by a written instrument signed by the City, Developer and the Contractor.

5. Compliance with Laws, Charter, Ordinances

Developer, its agents, employees and subcontractors must comply with all applicable federal and state laws, the charter and ordinances of the City of Friendswood, and with all applicable rules and regulations promulgated by local, state and national boards, bureaus and agencies. Developer must obtain all necessary permits and licenses required in completing the work contracted for in this Agreement.

6. Severability

If any terms, sections, subsections, sentences, clauses, phrases, provisions, covenants or conditions of this Agreement are held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the Agreement shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

7. Notice

Each formal notice required by the terms of this Agreement shall be in writing and sent by facsimile, courier or by registered or certified mail.

IN WITNESS HEREOF, each of the parties has executed this Agreement by its undersigned duly authorized representative as of the date first written above, the parties have executed this Agreement.

CITY OF FRIENDSWOOD

MIKE FOREMAN, MAYOR

ATTEST:

Melinda Welsh, TRMC
City Secretary

COASTAL BEND PROPERTY DEVELOPMENT, LP (DEVELOPER)

DANIEL RUCKER, _____

SER CONSTRUCTION PARTNERS, LLC, (CONTRACTOR),

[illegible][illegible][illegible][illegible][illegible]

**CONSTRUCTION COSTS
FOR
SHARED ROADWAY IMPROVEMENTS
FOR
CITY OF FRIENDSWOOD & INDUSTRY PARK FRIENDSWOOD**

FEBRUARY 2019

Contract Item No.	Quantity	Unit	Item Description and Total Written Unit Price	Unit Price	Amount	City's Share (50%)
2.	<i>0.25</i>	L.S.	Mobilization, Performance and Maintenance Bond, Payment Bond and Insurance; at	\$ 38,500.00	\$ 9,625.00	\$ 4,812.50
4.	<i>1</i>	L.S.	Storm Water Pollution Prevention Plan including Filing NOI/NOT with TCEQ and Maintaining all Sediment Control Structures, at	\$ 374.00	\$ 374.00	\$ 187.00
5.	<i>15</i>	L.F.	Filter Fabric Fence, at	\$ 2.00	\$ 30.00	\$ 15.00
6.	<i>1</i>	L.S.	Maintain Stabilized Entrance/Exit & Staging/Parking/Material Storage Area, at	\$ 900.00	\$ 900.00	\$ 450.00
7.	<i>1</i>	L.S.	Concrete Truck Washout, at	\$ 900.00	\$ 900.00	\$ 450.00
31.	<i>1,535</i>	L.F.	Excavate drainage swales per Plans and Soil Material to be Spread and Compacted On Lots (including topsoil) including Filling and Compacting necessary to fill existing low spots and swales, at	\$ 7.80	\$ 11,973.00	\$ 5,986.50
32.	<i>1</i>	L.S.	Remove existing concrete driveway in and along TXDOT ROW on FM 2351, Complete at,	\$ 600.00	\$ 600.00	\$ 300.00
33.	<i>1</i>	L.S.	Install driveway apron inside TXDOT ROW on FM 2351 per Plans and TXDOT Driveway Detail - Private (Commercial) including Curb transition, Complete at,	\$ 3,500.00	\$ 3,500.00	\$ 1,750.00
34.	<i>1</i>	L.S.	Tie-In to Existing City Concrete Driveway (Dowel) at Water Plant per City Detail, at	\$ 78.00	\$ 78.00	\$ 39.00
35.	<i>1</i>	L.S.	Paving Header (16' Wide) at end of Pavement in front of Water Plant per City Detail, at	\$ 300.00	\$ 300.00	\$ 150.00
36.	<i>150</i>	C.Y.	Roadway Excavation, Rock Material to be Hauled to Water Plant, Soil Material to be Spread and Compacted On Lots (including small amount of topsoil) including Filling and Compacting necessary to fill existing low spots and swales, at	\$ 7.00	\$ 1,050.00	\$ 525.00
37.	<i>0.07</i>	JOB	Proof Roll Subgrade and Lots, at	\$ 7,600.00	\$ 532.00	\$ 266.00
38.	<i>1,870</i>	S.Y.	6" Reinforced Concrete Pavement, at	\$ 40.30	\$ 75,361.00	\$ 37,680.50
39.	<i>2,060</i>	S.Y.	Grading, Mixing, and Manipulation of 8-in (Eight) Lime Stabilized Subgrade, at	\$ 3.20	\$ 6,592.00	\$ 3,296.00
40.	<i>38</i>	TON	Lime, at	\$ 178.00	\$ 6,764.00	\$ 3,382.00
SHARED ROADWAY IMPROVEMENTS TOTAL					\$ 118,579.00	\$ 59,289.50

Notes:

1. The Shared Roadway Improvements are being calculated as the items required to construct the 24' wide roadway starting at the end of the radius of the intersection of the Industry Park Cul-De-Sac heading northwest toward Timber Creek Golf Club, reducing to a 16' width as it turns northeast to the City's water plant, and terminating past the City's existing concrete driveway to the Water Plant.
2. The City's share of the Shared Roadway Improvements is 50% of the total construction costs.
3. Contract Items No. 2, 5, 31, 36, and 37-40 have been adjusted from the original contract quantity to reflect the total quantity used for the Shared Roadway Improvements. These quantities have been italicized for distinction.

EXHIBIT "B"



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix C Zoning Ordinance "Section 8. N. 1. Geographic limits" regarding proposed amendments to the established boundary of the Downtown District

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: 1st reading of Ordinance

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing various requirements of the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission.

Amending the boundary to include an additional property located at 110 Whispering Pines was one of the items reviewed.

The original DD boundary was established in 2007 when the Downtown District (DD) zoning was created (Ord. 2007-18). The boundary was amended shortly thereafter in 2008 to expand the Downtown District to the creek (Ord. 2008-30).

Other regulations using the DD map include Resolution 2008-103, which established the Neighborhood Empowerment Zone (NEZ) for the amended Downtown District and waives fees for development in certain situations. Additionally, the Sales Tax election is limited to the current Downtown District map (adopted in 2008); sales tax dollars collected and contributed to the 4B fund managed by the Friendswood Downtown Economic Development Corporation (FDECD) can only be spent on properties within this boundary.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and

restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Ordinance](#)
[Exhibit A](#)

(Title: An ordinance amending Appendix C “Zoning,” Section 8.N.1., “Geographic Limits,” to amend the established boundary of the Downtown District map.)

ORDINANCE NO. T2019-16

AN ORDINANCE AMENDING APPENDIX C – “ZONING,” SECTION 8.N.1., “GEOGRAPHIC LIMITS,” TO AMEND THE ESTABLISHED BOUNDARY OF THE DOWNTOWN DISTRICT MAP; PROVIDING A PENALTY FOR VIOLATION IN AN AMOUNT NOT TO EXCEED \$2000, OR AS OTHERWISE PROVIDED BY LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Friendswood is continually reviewing the provisions of the City Code of Ordinances, specifically including Appendix C of the Friendswood City Code, (“Zoning”) relating to land use and other circumstances, and;

WHEREAS, the original Downtown District boundary was established in 2007 via Ordinance 2007-18, and the boundary was expanded via Ordinance 2008-30;

WHEREAS, the City Council wishes to expand the boundary of the Downtown District (DD) to allow other property owners to opt into the Downtown District zoning; and

WHEREAS, the Planning and Zoning Commission of the City of Friendswood has conducted a public hearing, received input from staff and has issued its final report recommending the amendments referenced hereafter; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted a joint public hearing in the time and manner required by law; and

WHEREAS, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, Section 8.N.1, “Geographic Limits,” is hereby amended to read as follows:

Appendix C, Zoning

Section 8.N.1.

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 ~~s~~Section 6.D.

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**)~~zone~~. Those properties outside the geographic limits may not rezone to ~~the~~ Downtown District (**DD**) ~~zone~~.

Section 3. That the Downtown District map, Figure 1, is amended as shown in Exhibit “A,” attached hereto and made a part hereof for all purposes.

Section 4. That this Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances. Violation of this Ordinance is subject to the penalty provisions contained in such Code under Section 1-14 “General penalty for violations of Code; continuing violations”, and as otherwise provided by law. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and,

upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 5. That all ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

Section 6. That in the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. That the City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 6th day of May, 2019.

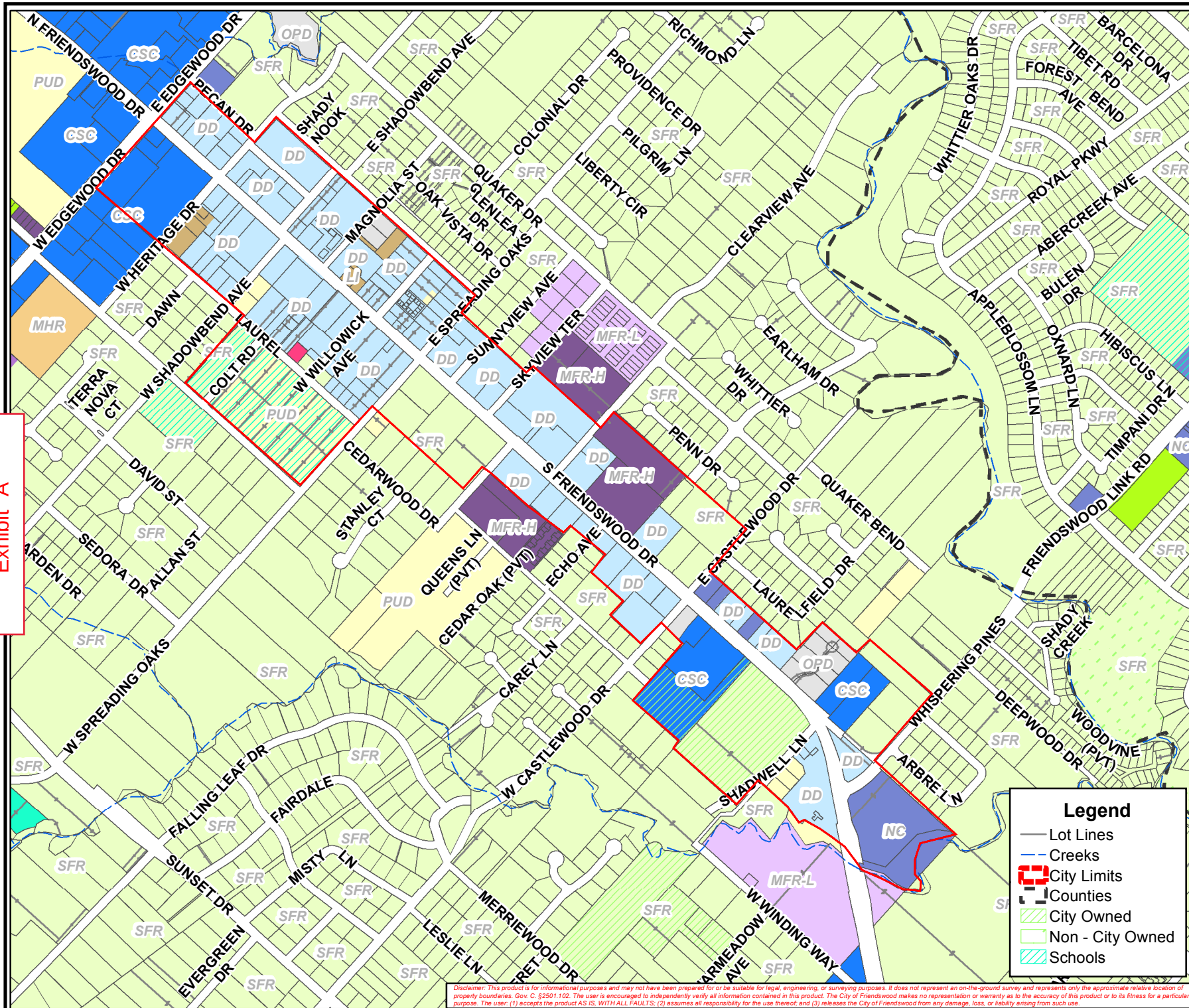
PASSED, APPROVED, AND ADOPTED on second and final reading this 3rd day of June, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary

Exhibit "A"



City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546
(281) 996-3200
www.ci.friendswood.tx.us



1" = 936'

Downtown District Map

Figure 1
Amended 2019

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix C Zoning Ordinance "Section 8. F. Off-street parking and loading regulations" to relocate DD related language to "Section 8.N.3. Parking" and amendments to reduce the head in parking distance requirement from 400 feet to 75 feet, including minor grammatical corrections

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: 1st reading of Ordinance

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required: Amount Budgeted:

Appropriation Required: Source of Funds:

FINANCE APPROVAL:

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing various requirements of the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission.

Review Item: reduce distance requirement from FM 518 for on-street, head-in parking from 400 feet

The recommendation is to reduce the 400ft distance requirement to 75 feet, which is consistent with the spacing requirements for a driveway from a major thoroughfare per the standards in the Design Criteria Manual.

Additionally, staff drafted some changes in relocating language for clarity and duplicating parking requirements that pertain to the Downtown District to the section of the Zoning Ordinance that includes the supplemental requirements for the DD zoning district.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Ordinance](#)

(Title: An ordinance amending Appendix C “Zoning,” “Section 8. F. Off-street parking and loading regulations” to relocate DD related language to “Section 8.N.3. Parking” and amendments to reduce the head in parking distance requirement from 400 feet to 75 feet, including minor grammatical corrections.)

ORDINANCE NO. T2019-17

AN ORDINANCE AMENDING APPENDIX C – “ZONING,” “SECTION 8. F. OFF-STREET PARKING AND LOADING REGULATIONS” AND “SECTION 8.G. OFF-STREET LOADING REGULATIONS” TO RELOCATE DOWNTOWN DISTRICT (DD) RELATED LANGUAGE TO “SECTION 8.N.3. PARKING” AND AMENDMENTS TO REDUCE THE HEAD IN PARKING DISTANCE REQUIREMENT FROM 400 FEET TO 75 FEET, INCLUDING MINOR GRAMMATICAL CORRECTIONS; PROVIDING A PENALTY FOR VIOLATION IN AN AMOUNT NOT TO EXCEED \$2000, OR AS OTHERWISE PROVIDED BY LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Friendswood is continually reviewing the provisions of the City Code of Ordinances, specifically including Appendix C of the Friendswood City Code, (“Zoning”) relating to land use and other circumstances, and;

WHEREAS, the City Council wishes to relocate Downtown District (DD) parking and loading requirements to the Downtown District Supplemental Requirements section of the Zoning Ordinance; and

WHEREAS, the City Council wishes to reduce the head-in parking distance requirement from FM 518 from a distance of 400 feet to 75 feet;

WHEREAS, the Planning and Zoning Commission of the City of Friendswood has conducted a public hearing, received input from staff and has issued its final report recommending the amendments referenced hereafter; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted a joint public hearing in the time and manner required by law; and

WHEREAS, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, Section 8. F. Off-street parking and loading regulations” and “Section 8.G. Off-street loading regulations” are hereby amended to read as follows:

Gray highlighted text = relocated

Appendix C, Zoning

Section 8.

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**.

a. 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.

~~b. **Downtown district parking. To promote pedestrian friendly environments, shared parking and shared parking access is encouraged. Head-in parking may be allowed in the DD with the approval of the commission, upon recommendation of the city**~~

~~engineer, in areas at least 400 feet from FM 518 and/or FM 2351. No on-street parking shall be allowed on FM 518 or on FM 2351 within the DD. Parking spaces and parking lot geometries shall comply with the requirements of the current design criteria.~~

~~b1.~~ 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.

~~c2.~~ 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 is determined that the proposed loading and unloading facilities will present a direct or indirect hazard to vehicular or pedestrian traffic.

G. ~~Reserved. Off-street loading regulations. The intent of this section is to ensure that an adequate off-street loading area is provided with the construction, alteration, or change of use of any business building or structure, or with any change in land use.~~

~~1.~~ 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.

~~2.~~ 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 is determined that the proposed loading and unloading facilities will present a direct or indirect hazard to vehicular or pedestrian traffic.~~

Section 3. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 8.N.3. Parking” is hereby amended to read as follows:

Section 8.N.

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.

- a. Off-site parking shall be allowed if within one block of the development. For purposes of this subsection, one block shall constitute no less than 300 linear feet and no more than 1,200 linear feet.
- b. Shared parking areas shall be allowed.
- c. Shared access agreements shall be required between adjacent developments.
- d. ~~On street parking shall be in accordance with subsection F.I.C., shown previously in this ordinance.~~ **On street, head-in parking may be allowed in the Downtown District (DD) with the approval of the Planning and Zoning Commission, upon recommendation of the city engineer, in areas at least 400 feet from FM 518 and/or FM 2351. No on street parking shall be allowed on FM 518 or on FM 2351 within the DD.**
- e. Development plans shall indicate how freight and goods will be delivered.
- f. Development plans shall show the design and layout for all parking. Documentation shall be provided to verify authority for all shared or off-site parking.
- g. All such required documentation shall be presented before a development plan is approved.

Section 4. That this Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances. Violation of this Ordinance is subject to the penalty provisions contained in such Code under Section 1-14 “General penalty for violations of Code; continuing violations”, and as otherwise provided by law. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 5. That all ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

Section 6. That in the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. That the City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 6th day of May, 2019.

PASSED, APPROVED, AND ADOPTED on second and final reading this 3rd day of June, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix C Zoning Ordinance "Section 7.I." and "Section 8.N.4." to allow cement fiber board installed as lap siding in the Downtown District (DD); "Section 8.N.4." to change the fenestration requirements in the Downtown District (DD), and "Section 8.N.4." to restate that service laterals must be installed underground, prohibit garage bay doors from fronting FM 518 in certain situations, limit exterior building colors to earth tone colors, require that screening materials match the main structure and add a reference to dumpster screening requirements, including minor grammatical corrections

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: 1st reading of ordinance

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing various requirements of the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission. For reference, the original "Downtown District Review and Recommendations Linked Document" is provided in the back up materials. Some of the recommendations may have changed.

Review Item: to allow cement fiberboard in DD, reduce the fenestration requirements, and institute some of the aesthetic criteria from the Community Overlay District into the Downtown District

The recommendation is to allow cement fiber board installed as lap siding only, reduce the fenestration requirement of the interior sides of the first floors, and add the following requirements to DD that already exist in the COD: require underground service laterals, require earth tone colors, prohibit garage bay doors from fronting FM 518 in certain situations, required screening materials to match the main structure and add a reference to the dumpster screening requirements.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of

the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Ordinance](#)

(Title: An ordinance amending Appendix C “Zoning,” “Section 7.I.” and “Section 8.N.4.” to allow cement fiber board installed as lap siding in the Downtown District (DD); “Section 8.N.4.” to change the fenestration requirements in the Downtown District (DD), and “Section 8.N.4.” to restate that service laterals must be installed underground, prohibit garage bay doors from fronting FM 518 in certain situations, limit exterior building colors to earth tone colors, require that screening materials match the main structure and add a reference to dumpster screening requirements, including minor grammatical corrections.)

ORDINANCE NO. T2019-18

AN ORDINANCE AMENDING APPENDIX C – “ZONING,” “SECTION 7.I.” AND “SECTION 8.N.4.” TO ALLOW CEMENT FIBER BOARD INSTALLED AS LAP SIDING IN THE DOWNTOWN DISTRICT (DD); “SECTION 8.N.4.” TO CHANGE THE FENESTRATION REQUIREMENTS IN THE DOWNTOWN DISTRICT (DD), AND “SECTION 8.N.4.” TO RESTATE THAT SERVICE LATERALS MUST BE INSTALLED UNDERGROUND, PROHIBIT GARAGE BAY DOORS FROM FRONTING FM 518 IN CERTAIN SITUATIONS, LIMIT EXTERIOR BUILDING COLORS TO EARTH TONE COLORS, REQUIRE THAT SCREENING MATERIALS MATCH THE MAIN STRUCTURE AND ADD A REFERENCE TO DUMPSTER SCREENING REQUIREMENTS, INCLUDING MINOR GRAMMATICAL CORRECTIONS; PROVIDING A PENALTY FOR VIOLATION IN AN AMOUNT NOT TO EXCEED \$2000, OR AS OTHERWISE PROVIDED BY LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Friendswood is continually reviewing the provisions of the City Code of Ordinances, specifically including Appendix C of the Friendswood City Code, (“Zoning”) relating to land use and other circumstances, and;

WHEREAS, the City Council wishes to allow cement fiber board installed as lap siding in the Downtown District (DD) zoning district; and

WHEREAS, the City Council wishes to change the fenestration requirements in the Downtown District (DD) zoning district; and

WHEREAS, the City Council wishes to restate that electrical service laterals must be installed underground, prohibit garage bay doors from fronting FM 518 in certain situations, limit exterior building colors to earth tone colors, require that screening materials match the main structure and add a reference to dumpster screen requirements; and

WHEREAS, the Planning and Zoning Commission of the City of Friendswood has conducted a public hearing, received input from staff and has issued its final report recommending the amendments referenced hereafter; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted a joint public hearing in the time and manner required by law; and

WHEREAS, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 7.I. Downtown District (DD), general purpose and description” is hereby amended to read as follows:

Section 7. - Schedule of district regulations.

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 **P**lanning and **Z**oning **C**ommission.

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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.

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 shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass, or lap sided cement fiberboard. Sheet Fiber~~ cement fiberboards/siding are prohibited, except as trim for eaves and overhangs. The Planning and Zoning Commission may approve alternative exterior facade materials.

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Section 3. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 8.N.Downtown District supplemental requirements” is hereby amended to read as follows:

Section 8.N. *Downtown District supplemental requirements.*

...

4. *Architectural standards.*

a. Buildings in the DD shall have exterior cladding of brick, masonry, stone, stucco, ~~or glass, or lap sided cement fiberboard. Sheet Fiber~~ cement fiberboards/siding are prohibited, except as trim for eaves and overhangs. The Planning and Zoning Commission may approve alternative exterior facade materials.

b. Exterior facades, including the roof, shall be limited to earth tone colors. Color samples shall be submitted as part of the commercial site plan. Earth tone colors depict the colors in nature; they include flat and muted shades of brown, green, blue, orange, and some reds and tans.

c. Fenestration shall mean the openings in a wall, such as doors and windows, to include faux windows whether transparent or not. Such windows may be inoperative but must be framed as a

window and otherwise appear to be a window. Painted openings would not be counted in fenestration calculations. Fenestration along front or other facades visible to the public shall be as follows:

- (1) Walls visible to the public shall have windows and or doors (i.e., no blank walls allowed).
- (2) Not less than 40 percent fenestration shall be provided for all ground floor primary facades (front or side) that face a public right-of-way.
- (3) Not less than 25 percent fenestration shall be provided for **all upper floor facades.** ~~(upper floors and those not facing a public right-of-way).~~

de. Awnings and canopies are allowed upon approval of the **P**lanning and **Z**oning **C**ommission.

ed. Fenestration calculations.

- (1) Area of **ground floor** primary wall ~~(front or side)~~-facing ROW x 40 percent = minimum fenestration.
- (2) Area of upper floor ~~or floor not facing ROW~~ x 25 percent = minimum fenestration.

f. Garage bays or other similar large openings designed for automotive or industrial work, or designed for vehicles to drive into, shall not front FM 518 or FM 2351 within the Downtown District boundary. This prohibition shall not include drive-thrus such as are typically found at banks for fast-food establishments. In the event that this requirement overlaps at an intersection, the architectural requirement regarding garage bays shall apply only to the frontage on one street as designated on the site plan.

5. *Screening.*

a. Mechanical equipment, such as roof top equipment, compressors, refrigeration units and trash enclosures, **outside storage**, and other nonpublic service areas that are visible from a public area, shall be screened to a height sufficient to completely screen the use from view at ground level. The term "view at 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 street or streets.

b. 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 constructed of the same materials as the building on the lot. Cyclone fences are prohibited. Under limited circumstances, the Planning and Zoning Commission may approve a vinyl coated cyclone fence.

c. See Section 8.L. for additional dumpster screening requirements.

6. *Sidewalks.*

a. Each development along FM 2351 and FM 518 shall provide a minimum 15-foot-wide parkway adjacent to the street right-of-way. The 15-foot parkway must contain an unobstructed brick-paved sidewalk, as described in Appendix E of the Design Criteria Manual, at least eight feet wide and a seven-foot wide landscape area.

b. Each development along all other streets within the downtown district shall provide a concrete sidewalk built in accordance with city standard specifications and shall be a minimum of six feet in width. Concrete sidewalks shall be built within the street right-of-way and adjacent to the right of-way lines.

c. If sidewalks cannot be placed wholly within the right-of-way and must be placed on private property, easements of the appropriate width shall be required.

....

9. Utilities

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

Section 4. That this Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances. Violation of this Ordinance is subject to the penalty provisions contained in such Code under Section 1-14 "General penalty for violations of Code; continuing violations", and as otherwise provided by law. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and,

upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 5. That all ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

Section 6. That in the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. That the City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 6th day of May, 2019.

PASSED, APPROVED, AND ADOPTED on second and final reading this 3rd day of June, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix C Zoning Ordinance "Section 8.N.8. Adjacent property, buffer maintenance and installation" duplicating requirements for buffering from "Section I.2. Perimeter landscaping and screening;" and amendments to "Section 8.N.3. Parking" duplicating requirements for parking from "Section I.2.c. Off-street parking landscaping;" and relocating language PUD modification from "Section 8.H. Modification of standards proposed within a PUD" to "Section 7.J. PUD, planned unit development, general purpose and description," including minor grammatical corrections

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: 1st reading of ordinance

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing various requirements of the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission. For reference, the original "Downtown District Review and Recommendations Linked Document" is provided in the back up materials. Some of the recommendations may have changed.

Review Item: staff clean up items - duplicating existing landscape, buffer and parking requirements to the DD section of the Zoning Ordinance and relocating PUD modification requirements to the PUD section of the Zoning Ordinance.

The recommendation is mainly staff clean up/recommendations. Relocating the landscape, buffer and parking requirements that apply to the DD to the section of the ordinance that contains the majority of the DD development regulations will make the ordinance easier to read for developers.

Also, the PUD language was relocated in the Zoning Ordinance a few years ago, but the modification steps were not relocated.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Ordinance](#)

(Title: An ordinance amending Appendix C “Zoning,” “Section 8.N.8. Adjacent property, buffer maintenance and installation” duplicating requirements for buffering from “Section I.2. Perimeter landscaping and screening;” and amendments to “Section 8.N.3. Parking” duplicating requirements for parking from “Section I.2.c. Off-street parking landscaping;” and relocating language PUD modification from “Section 8.H. Modification of standards proposed within a PUD” to “Section 7.J. PUD, planned unit development, general purpose and description,” including minor grammatical corrections.)

ORDINANCE NO. T2019-19

**AN ORDINANCE AMENDING APPENDIX C – “ZONING,”
“SECTION 8.N.8. ADJACENT PROPERTY, BUFFER
MAINTENANCE AND INSTALLATION” DUPLICATING
REQUIREMENTS FOR BUFFERING FROM “SECTION I.2.
PERIMETER LANDSCAPING AND SCREENING;” AND
AMENDMENTS TO “SECTION 8.N.3. PARKING” DUPLICATING
REQUIREMENTS FOR PARKING FROM “SECTION I.2.C. OFF-
STREET PARKING LANDSCAPING;” AND RELOCATING
LANGUAGE PUD MODIFICATION FROM “SECTION 8.H.
MODIFICATION OF STANDARDS PROPOSED WITHIN A PUD”
TO “SECTION 7.J. PUD, PLANNED UNIT DEVELOPMENT,
GENERAL PURPOSE AND DESCRIPTION,” INCLUDING MINOR
GRAMMATICAL CORRECTIONS; PROVIDING A PENALTY
FOR VIOLATION IN AN AMOUNT NOT TO EXCEED \$2000, OR
AS OTHERWISE PROVIDED BY LAW; REPEALING ALL
ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR
IN CONFLICT HERewith; AND PROVIDING FOR
SEVERABILITY.**

* * * * *

WHEREAS, the City Council of the City of Friendswood is continually reviewing the provisions of the City Code of Ordinances, specifically including Appendix C of the Friendswood City Code, (“Zoning”) relating to land use and other circumstances, and;

WHEREAS, Zoning Ordinance Section I. contains landscaping requirements for various zoning districts, and City Council wishes to duplicate requirements for buffering and parking that apply to the Downtown District (DD) to Section 8, which includes the supplemental regulations for the Downtown District (DD); and

WHEREAS, City Council wishes to relocate language regarding the modifications process for a Planned Unit Development (PUD) to the correct location within the Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission of the City of Friendswood has conducted a public hearing, received input from staff and has issued its final report recommending the amendments referenced hereafter; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted a joint public hearing in the time and manner required by law; and

WHEREAS, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 8.N.Downtown District supplemental requirements.” is hereby amended to read as follows:

...

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 **P**lanning and **Z**oning **C**ommission.

(1) Trees shall be provided every 25 linear feet. Trees used in the 15-foot parkway shall be Class 2 or Class 3 trees from the city's qualified tree list, and other landscaping material such as bushes and/or groundcover may be used. The tree and landscaping material shall

be maintained in living condition. One-half of the trees shall have a minimum caliper of four inches and one-half shall have 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.)

(2) Amenities shall be provided in accordance with the design criteria manual, Exhibit E, Downtown District Amenities. A minimum of two lights and two benches are required within the 15-foot parkway of each development. All provided amenities shall be permanently maintained by the property owner, including the brick-paved sidewalks.

b. Developments along all other streets within the downtown district shall have a minimum ten-foot landscaped buffer located on private property and not less than one tree, whether existing or planted, shall be planted and maintained for each 25 lineal feet or portion thereof. Each such tree 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. Alternate sidewalk, landscape and amenity designs specific to the site or the function of the development within the downtown district may be considered by the Planning and Zoning Commission if it determines that the proposed alternative sidewalk is not narrower than six feet and provides, respectively:

- (i) Equal or better pedestrian access to and along the development property;
- (ii) Equal or enhanced landscape beautification for the development; or
- (iii) Equal or better design amenities than otherwise required herein.

d. See Section 8.I. for additional information on maintenance and preservation of trees.

8. Adjacent property, buffer maintenance and installation.

a. When a commercial use is established on a lot or premises located adjacent to any residential 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 commercial property between it and the adjacent protected property.

b. 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 Planning and Zoning 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, with Planning and Zoning Commission approval.

c. 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 Planning and Zoning 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 Planning and Zoning 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.

d. 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.

Section 3. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 8.N.3.Parking” is hereby amended to read as follows:

Appendix C, Zoning

3. *Parking*

...

h. 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.

i. All planted islands shall have curbs of sufficient height and width to contain the planted island.

j. 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.

k. 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.

l. 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.

m. 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.

n. All plants shall receive proper irrigation to encourage deep root growth and survivability.

Section 4. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 8.H. Modification of standards proposed within a PUD” is hereby amended to read as follows:

Section 8. Supplementary district regulations.

H. Reserved. Modification of standards proposed within a PUD.

~~1.—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.~~

~~2.—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.~~

Section 5. That the City of Friendswood Code of Ordinances, Appendix C, “Zoning”, “Section 7.I.J. PUD, planned unit development, general purpose and description” is hereby amended to read as follows:

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 **P**lanning and **Z**oning **C**ommission 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.

(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.

(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.

Section 6. That this Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances. Violation of this Ordinance is subject to the penalty provisions contained in such Code under Section 1-14 “General penalty for violations of Code; continuing violations”, and as otherwise provided by law. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 7. That all ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

Section 8. That in the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 9. That the City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this 6th day of May, 2019.

PASSED, APPROVED, AND ADOPTED on second and final reading this 3rd day of June, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 17, 2019

Dept. Clearances: Steven Rhea

Prepared by: Aubrey Harbin

Subject: Proposed amendments to Appendix A Sign Ordinance "Section 9 Prohibited Signs" to prohibit LED storefront lights in the Downtown District boundary

Originating Department: Community Development

City Attorney Review: Yes

Proceeding: 1st reading of ordinance

Degree of importance: Critical ☐ Significant ☐ Elective ☒

Expenditure Required:

Amount Budgeted:

Appropriation Required:

Source of Funds:

FINANCE APPROVAL:

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

Due to various requests from owners and developers regarding current zoning requirements of the Downtown District, the Planning and Zoning Commission was tasked with reviewing various requirements of the Downtown District to determine any proposed amendments. A Downtown District Subcommittee studied these items and provided detailed information to the remainder of the Commission. For reference, the original "Downtown District Review and Recommendations Linked Document" is provided in the back up materials. Some of the recommendations may have changed.

Review Item: prohibit LED storefront lights

The recommendation is to prohibit LED and similar storefront lights within the Downtown District boundary, regardless of zoning. Also, included in the ordinance is to require any existing lighting that violates this requirement to be removed within 90 days of the adoption of the ordinance.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The intent of the review of the DD zoning regulations was to alleviate any recurring development hurdles and to look at the District as a whole to determine if any other changes were necessary. It is the intent of the Downtown District to create a thriving, pedestrian friendly area and attract a variety of retail and restaurant uses for the community to enjoy, while maintaining consistency with the values of the community.

RECOMMENDATIONS

The Planning and Zoning Commission will provide a recommendation following the Joint Public Hearing.

ATTACHMENTS

[Ordinance](#)

(Title: An ordinance amending Appendix A, Signs, “Section 9. Prohibited Signs” to prohibit LED and similar storefront lights in the Downtown District boundary.)

ORDINANCE NO. T2019-20

AN ORDINANCE AMENDING APPENDIX A, SIGNS, “SECTION 9. PROHIBITED SIGNS” TO PROHIBIT LED STOREFRONT LIGHTS IN THE DOWNTOWN DISTRICT BOUNDARY; PROVIDING A PENALTY FOR VIOLATION IN AN AMOUNT NOT TO EXCEED \$2000, OR AS OTHERWISE PROVIDED BY LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Friendswood is continually reviewing the provisions of the City Code of Ordinances, specifically including Appendix A of the Friendswood City Code, (“Signs”) regulating the placement of signs and advertisement throughout the City, and;

WHEREAS, City Council wished to maintain a higher level of quality and design for storefronts and streetscapes in the Downtown District boundary; and

WHEREAS, the City Council wishes to prohibit storefront lighting in the Downtown District boundary; and

WHEREAS, City Council wishes to require any existing lighting that violates this requirement to be removed within 90 days of the adoption of this Ordinance; and

WHEREAS, the Planning and Zoning Commission of the City of Friendswood has conducted a public hearing, received input from staff and has issued its final report recommending the amendments referenced hereafter; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted a joint public hearing in the time and manner required by law; and

WHEREAS, City Council has determined that all public notices have been posted and published, all required hearings on this matter have been held, and that this Ordinance complies with the applicable provisions of the City Charter, City Code and all other applicable laws;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. That the City of Friendswood Code of Ordinances, Appendix A “Signs” Section 9. Prohibited Signs” is hereby amended to read as follows:

Sec. 9. - Prohibited signs.

Signs of the following nature are expressly prohibited unless specifically authorized by this appendix:

- a. Billboards, including, but not limited to, new off-premises CEVMSs. Exception: existing billboards may be converted to CEVMSs, provided that they meet the requirements in Section 26.f.
- b. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character as will offend public morals or decency.
- c. Obsolete signs.
- d. Animated signs.
- e. Signs that contain or have attached thereto banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, flash tags or other similar devices.
- f. Signs attached to exposed amenities, such as benches or trash containers.
- g. Any stereopticon or motion picture machine used in conjunction with or attached to any sign in such a manner as to permit the images projected therefrom to be visible from any public street or sidewalk.
- h. Snipe signs.

- i. Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential area.
- j. Signs placed on private property without the consent of the owner of the property.
- k. Flashing signs.
- l. Ground signs, except monument signs.

m. In the Downtown District Boundary, no miniature, mini, Christmas, rope string lights, exposed LED storefront lights or other similar lighting in or framing windows (interior or exterior), including attached to the window frames with the exception of holiday lighting from November 15 to January 15.

Section 3. That this Ordinance is hereby incorporated and made a part of the Friendswood City Code of Ordinances. Violation of this Ordinance is subject to the penalty provisions contained in such Code under Section 1-14 “General penalty for violations of Code; continuing violations”, and as otherwise provided by law. Any person who shall willfully, intentionally, or with criminal negligence violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 4. That all ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby expressly repealed.

Section 5. That in the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares

that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. That the City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

Section 7. That any existing lighting that violates this Ordinance shall be removed within 90 days of the adoption of the ordinance.

PASSED AND APPROVED on first reading this 6th day of May, 2019.

PASSED, APPROVED, AND ADOPTED on second and final reading this 3rd day of June, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: 05/06/2019

Date Submitted: 04/26/2019

Dept. Clearances: KRH

Prepared by: Jennifer Walker

Subject: FY 2018-19 Budget Amendment VII

Originating Department: Administrative Services City Attorney Review: ☒

Proceeding: Ordinances

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: \$317,854

Amount Budgeted: \$31,137

Appropriation Required: \$286,717 Source of Funds: Unassigned General Fund Balance,
General Fund Revenues, Water & Sewer Fund, VRP Fund Balance, PIF Fund Balance

FINANCE APPROVAL: *krh*

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

By its nature, our budget is an estimate of the revenues and expenditures needed to accomplish the City Council and Staff goals for the year. Throughout the year events occur that require adjustments to the budget. These adjustments may be needed for various reasons, such as the recognition of extraordinary revenues or expenditures, new projects that are authorized by Council or providing funding for expenditures resulting from extraordinary events like natural disasters. As the need arises, items for budget appropriations are accumulated and then submitted for approval at the City Council meeting each month. The budget adjustments covered by this ordinance comprise the seventh set for fiscal year 2018-19.

We have attempted to provide as much explanation of the adjustments as possible through two sets of exhibits. Exhibit A provides a narrative explanation of each budget amendment. Exhibit B provides the detail of each accounting transaction.

Ordinance and exhibits are reviewed and approved by the City Attorney prior to inclusion on a City Council meeting agenda.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Approval of this budget amendment will allow for timely procurement of program supplies and limit delays in the progress of capital improvement projects.

RECOMMENDATIONS

Recommend approval of the ordinance and exhibits covering Budget Amendment VII 2018–19.

ATTACHMENTS

[Ordinance](#)
[Exhibit A](#)
[Exhibit B](#)

(Title: An Ordinance adopting Budget Amendment VII to the Original General Budget of the City for Fiscal Year 2018-2019 to provide for supplemental appropriation and/or transfer of certain funds.)

ORDINANCE NO. T2019-21

AN ORDINANCE AMENDING CITY OF FRIENDSWOOD, TEXAS, ORDINANCE NO. 2018-28, PASSED AND APPROVED OCTOBER 1, 2018, SAME BEING AN ORDINANCE APPROVING AND ADOPTING THE CITY'S GENERAL BUDGET FOR FISCAL YEAR 2018-2019 BY APPROVING "BUDGET AMENDMENT VII" TO THE "ORIGINAL GENERAL BUDGET OF THE CITY OF FRIENDSWOOD, TEXAS, FOR THE FISCAL YEAR 2018-2019"; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT.

* * * * *

WHEREAS, by Ordinance No. 2018-28, the City Council of the City of Friendswood, Texas, adopted its "Original General Budget for Fiscal Year 2018-2019"; and

WHEREAS, the City Council has determined that revenues and/or reserves are available for supplemental appropriation, and/or that the transfer of certain funds interdepartmentally is economically feasible and in the best interest of prudent budgeting and for municipal purposes; and

WHEREAS, Section 8.04 of The City Charter provides for amendments after adoption of the budget; and

WHEREAS, the City Council desires to amend said Original General Budget to reflect such supplemental appropriation and/or transfer in the fiscal year 2018-2019;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The “Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2018-2019,” is hereby amended for municipal purposes as shown on “Budget Amendment VII” to the “Original Budget of the City of Friendswood, Texas, for the Fiscal year 2018-2019” attached hereto. Said Budget Amendment VII shall be attached to and made a part of such Original General Budget by the City Secretary and shall be filed as required by state law, a true and correct copy of which is attached hereto as Exhibits “A” and “B” and made a part hereof for all purposes.

Section 3. In the event any clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED this 6th day of May, 2019.

Mike Foreman
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary

**City of Friendswood
Budget Amendment Summary
Fiscal Year 2018 – 2019
Budget Amendment VII
May 6, 2019**

1. **Library Donations, \$1,528.** Appropriate funds received from book sales and donations to the Library department. The funds will be appropriated to the Library operating equipment and supplies budget to be used in fiscal year 2019.
2. **Police Investigation Funds, \$3,873.** Appropriate funds from the Police Investigation Fund (PIF) to purchase four tarp covers for the LMTV Units. The funding source will be the Police Investigation Fund unassigned fund balance.
3. **Public Works Vehicle Unit 87, \$3,277.** Appropriate funds to cover the additional cost of replacing Unit 42. At the April 1, 2019 meeting, Council approved using Vehicle Replacement Funds to purchase the new vehicle Unit 87 which will replace Unit 42. The cost of the replacement vehicle was more than appropriated from the VRP. The funding source will be from the Vehicle Replacement Fund balance.
4. **Public Works Facility Evaluation, \$30,000.** Appropriate funds for services to perform structural engineering services for the storm damage and cost evaluation of the City of Friendswood's Public Works facility located at 1306 Deepwood. The funding source will be split equally from the unassigned General Fund balance and Water and Sewer Working Capital. The funds will be appropriated into the Facility Operations division contract services account.
5. **Police Department Body-Worn Cameras and In-Car Solution, \$269,176.** Appropriate funds to replace and purchase body-worn cameras and vehicle in-car cameras. At the April 1, 2019 Council meeting, Council approved the replacement and purchase of equipment. Funding will be appropriated from several sources. Funding of \$85,000 will come from the Federal Asset Forfeiture Fund, \$141,316 from Unassigned General Fund Balance, and \$8,400 from the Police Department Patrol division operating equipment. Also \$15,000 from the Vehicle Replacement Fund balance will be appropriated. Three of the most recently purchased cameras from L-3 Mobile Service will be returned and a refund of \$15,000 is expected to be received in which the reimbursement will be appropriated back to the Vehicle Replacement Fund balance. In addition to the equipment, a server will be purchased to host the new system. The cost of the server of \$19,460 will be covered by the existing Police Department contingency account and transferred into the capital operating account within the Patrol division to purchase the server.
6. **Flood Vulnerability Study, \$10,000.** Appropriate additional funding to conclude the Flood Vulnerability Study undertaken with Rice University. The Study developed a drainage model of the Clear Creek Watershed in Friendswood and was a critical component of the Drainage Subcommittee's effort. The funding source for the expense will be unassigned General Fund Balance. Please note a future request

will also be made to allocate funds on an ongoing basis to maintain the model to analyze potential flood mitigation projects.

City of Friendswood

5/6/2019

2018-19 Budget Amendment VII - Exhibit B

BA Number	Account Number	Project No.	Description	Amount
1	001-0000-38600	DNBOOKREV	Appropriate sale of books to the Library Department's operating equipment account	(408)
1	001-6310-459.5800	DNBOOKEXP	Appropriate sale of books to the Library Department's operating equipment account	408
1	001-0000-38600	DNMLIBREV	Appropriate donations to the Library Department's operating supplies account	(120)
1	001-6310-459.5400	DNMLIBEXP	Appropriate donations to the Library Department's operating supplies account	120
1	001-0000-38600	DNMLIBREV	Appropriate donations to the Library Department's operating equipment account	(1,000)
1	001-6310-459.5800	DNMLIBEXP	Appropriate donations to the Library Department's operating equipment account	1,000
2	101-0000-30100		Appropriate undesignated PIF funds to purchase tarp covers for the LMTV Units	(3,873)
2	101-2120-421.5800	LMTV1,2,3,4	Appropriate undesignated PIF funds to purchase tarp covers for the LMTV Units	3,873
3	301-0000-30100	PW87	Appropriate funds from VRP fund balance to cover additional cost of purchasing the replacement vehicle Unit PW87	(3,277)
3	301-0501-434.8300	PW87	Appropriate funds for additional cost in purchasing the replacement vehicle Unit PW87	3,277
4	401-0000-30100		Appropriate funds from Water & Sewer Fund Working Capital for facility evaluation services at 1306 Deepwood	(15,000)
4	401-9002-491.9110	8PW431	Transfer funds from Water & Sewer Fund to General Fund Facility Operations division in Parks Department for facility evaluation services at 1306 Deepwood	15,000
4	001-0000-30500		Appropriate funds from unassigned General Fund Balance to the Facility Operations division in Parks Department for facility evaluation services at 1306 Deepwood	(15,000)
4	001-0000-39137	8PW431	Appropriate funds received from Water & Sewer Fund for facility evaluation services at 1306 Deepwood	(15,000)
4	001-6460-419.7400	8PW431	Funds transferred from W&S working capital & unassigned GF balance for facility evaluation services at 1306 Deepwood	30,000
5	101-0000-30100		Appropriate Federal Asset Forfeiture Funds to help in purchasing the intergrated body worn camera & in-car camera solution	(85,000)
5	101-2120-421.8800	PD-BWC_IC2019	Appropriate Federal Asset Forfeiture Funds to help in purchasing the intergrated body worn camera & in-car camera solution	85,000
5	001-0000-30500		Appropriate unassigned General Fund balance to help purchase the intergrated body worn camera & in-car camera solution	(141,316)
5	001-2120-421.8800	PD-BWC_IC2019	Funds appropriated from unassigned General Fund balance to help purchase the intergrated body worn camera & in-car camera solution	141,316
5	001-2120-421.5800	PD-BWC_IC2019	Transfer funds from PD Patrol operating equipment account to assist in purchasing an intergrated body worn camera & in-car camera solution	(8,400)
5	001-2120-421.8800	PD-BWC_IC2019	Funds transferred from PD Patrol operating equipment account to assist in purchasing an intergrated body worn camera & in-car camera solution	8,400
5	301-0000-30100	PD-BWC_IC2019	Appropriate funds from VRP balance to assit in purchasing in-car cameras	(15,000)
5	301-0501-421.8300	PD-BWC_IC2019	Appropriate funds from VRP balance to assit in purchasing in-car cameras	15,000
5	001-2101-421.6620	PD-BWC_IC2019	Transfer funds from PD Patrol contingency account to assist in purchasing an intergrated body worn camera & in-car camera solution	(19,460)
5	001-2120-421.8800	PD-BWC_IC2019	Funds transfered from PD Patrol contingency account to assist in purchasing an intergrated body worn camera & in-car camera solution	19,460
6	001-0000-30500		Appropriate funds from unassigned General Fund Balance for additional services involving the flood vulnerability study	(10,000)
6	001-3620-431.7800	FVS2018	Appropriate funds from unassigned General Fund Balance for additional services involving the flood vulnerability study	10,000



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 26, 2019

Dept. Clearances: Parks and Recreation

Prepared by: Michael Boyett

Subject: Interlocal Cooperation Contract with Friendswood Independent School District (FISD) – Use of School Transportation and Facilities for City Programs and Events.

Originating Department: Parks and Recreation

City Attorney Review: Yes

Proceeding: Consent

Degree of importance: Critical ☐ Significant X Elective ☐

Expenditure Required: \$17,000

Amount Budgeted: \$17,000

Appropriation Required: N/A

Source of Funds: General Operating Budget

FINANCE APPROVAL:

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

The City of Friendswood and the Friendswood Independent School District maintains a strategic partnership to provide services for the citizens of the City and School.

That being said, the City has requested transportation (shuttling) services for various programs, such as the Summer Day Camp program, the July 4th Evening Program, and the Santa in the Park event. The City has also requested to use FISD facilities for various programs, such as lifeguard training, Daddy Daughter Dance, fitness classes, and adult flag football.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Thanks to the partnership between the City and the District, the Parks and Recreation Department can provide programs and special events to citizens at the highest level of services and programs at the greatest value.

RECOMMENDATIONS

City staff recommends approving the Interlocal Cooperation Contract between the City of Friendswood and the Friendswood Independent School District for use of the District's facilities and transportation services and authorizing the Mayor to execute the Interlocal Agreement with Friendswood Independent School District on a five (5) year term.

ATTACHMENTS

[Interlocal Cooperation Contract](#)

STATE OF TEXAS	§	
	§	INTERLOCAL COOPERATION CONTRACT
COUNTY OF HARRIS/ GALVESTON	§	BETWEEN THE CITY OF FRIENDSWOOD AND THE FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT

This Contract is entered into and effective the 1st day of May, 2019, by and between the City of Friendswood, Texas, a Texas Municipal Corporation, hereinafter called “CITY” and the Friendswood Independent School District hereinafter called "FISD" pursuant to the Interlocal Cooperation Act, Art. 791.001, et seq., Texas Government Code.

WHEREAS, Chapter 791 of the Texas Government Code authorizes local governments and political subdivisions, to contract with each other to perform governmental functions and services that each party to the contract is authorized to perform individually, and

WHEREAS, the CITY and FISD have maintained a strategic partnership to provide services for the citizens of the CITY and FISD, with the FISD permitting the CITY to use FISD facilities and FISD buses for various CITY events and programs throughout the year; and

WHEREAS, the governing bodies of the CITY and FISD agree that it is in the best interest of the taxpayers of both political subdivisions to enter into this Interlocal Cooperation Contract.

NOW THEREFORE, be it known that CITY and FISD enter into this Interlocal Cooperation Contract under the following terms and conditions:

1.0 CONTRACTUAL RELATIONSHIP.

1.1 The CITY and FISD, hereinafter called “Parties” to this Contract are governmental entities that are entering into this Contract pursuant to Chapter 791, Texas Government Code, which establishes the legal relationship between the Parties. No other legal relationship is intended to be created by this Contract, to include but not be limited to landlord-tenant, employer-employee, or principal-agent. No provision of this Contract that imposes an obligation or restriction on either party not permitted by applicable law shall be enforceable.

2.0 SCOPE OF SERVICES – USE OF FISD FACILITIES

2.1 The FISD agrees to allow the CITY to use FISD facilities that are mutually agreeable by both Parties, for various CITY events or programs including, but not limited to fitness programs, lifeguard training and the Daddy-Daughter Dance.

2.2 The CITY agrees to provide the FISD a certificate of insurance evidencing general liability insurance including products, completed operations, independent contractors, and contractual liability coverage with aggregate coverage and personal injury limits of \$1,000,000, naming the FISD as additional insured.

2.3 If the CITY'S employees will be on FISD facilities, the CITY will provide Worker's Compensation Insurance with statutory limits, with Waiver of Subrogation in favor of the FISD.

2.4 CITY agrees to reimburse FISD for utility and custodial costs from the CITY's usage of FISD facilities. CITY will reimburse FISD upon receipt of an invoice, and in an amount which reasonably reflects the actual costs incurred by FISD, as determined by the Assistant Superintendent of Business and Operations for FISD.

2.5 Upon a determination by the Assistant Superintendent of Business and Operations of FISD, CITY agrees to reimburse FISD for any damages to FISD's facility resulting from the CITY'S use.

2.6 FISD will allow CITY to leave one lockable mobile storage cart in the gym, to store its sound equipment. The CITY understands that this cart and its contents are the sole responsibility of the CITY and the CITY agrees to assume all risk associated with the storage of this cart in the gym.

3.0 SCOPE OF SERVICES – USE OF FISD BUSES

3.1 FISD also agrees to allow the CITY to use FISD's buses on dates and times mutually agreeable by both Parties for transportation related to CITY events or programs including, but not limited to Summer Day Camp from June 1 through August 20, Santa in the Park on the 2nd Saturday in December, and the July 4th evening program.

3.2 FISD shall provide bus drivers to provide the transportation services in this Contract at rates agreeable to both Parties and CITY shall reimburse FISD for payment of bus drivers.

3.3 CITY shall provide, at its own expense, insurance coverage acceptable to FISD for the use and operation of FISD's buses while providing transportation for CITY's events and programs. Said policy shall list FISD as an additional insured.

3.4 In the event of an accident and subsequent claim arising out of the use of FISD's buses, the CITY's insurance provider shall provide coverage identical to that of a CITY vehicle. FISD shall have the right to request specific legal representation, but understands that the CITY's insurance provider will make the final determination as to who will represent the CITY and FISD in response to the claim.

3.5 The CITY shall maintain the condition of FISD's buses for FISD's use. Upon a determination by the Director of Transportation of FISD, CITY shall repair any damages beyond normal wear and tear caused by the CITY's negligent or intentional misuse of FISD's buses.

4.0 SCHEDULING OF FISD FACILITIES AND BUSES

4.1 The CITY and FISD will make best efforts to meet at least 90 days prior to the respective CITY event or program to finalize and confirm the date the CITY will need the use of FISD facility or FISD buses. In the event this meeting does not occur, the CITY and FISD agree to reasonably work to accommodate the CITY's requested use. FISD may, but is under no obligation to, accommodate requests from the CITY made less than 45 days from the date of requested use.

5.0 TERM.

5.1 The original term of this Agreement shall be from May 1, 2019, through September 30, 2019, and shall automatically renew on October 1, 2019 and each October 1 of each year thereafter for five (5)

successive years unless it is terminated by either Party at any time upon ninety (90) days written notice via certified mail, return receipt requested or hand-delivery.

6.0 GOVERNMENTAL FUNCTION AND IMMUNITY.

6.1 Governmental Function. The CITY and FISD expressly agree that, in all things relating to this Contract, the parties enter into this Contract for the purpose of performing governmental functions and are performing governmental functions, as defined by the Texas Tort Claims Act. The parties further expressly agree that every act or omission of each party, which in any way pertains to or arises out of this Contract, falls within the definition of governmental function.

6.2 Sovereign Immunity. CITY and FISD reserve, and do not waive, their respective rights of sovereign immunity and similar rights and do not waive their rights under the Texas Tort Claims Act. The Parties expressly agree that neither party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of its powers or functions or pursuant to the Texas Tort Claims Act or other applicable statutes, laws, rules or regulations.

7.0 NO INDEMNIFICATION

7.1 To the extent provided by law, the Parties expressly agree that neither party shall have the right to seek indemnification or contribution from the other Party for any losses, costs, expenses, damages, causes of action of any nature or kind, for loss or damage to property, or for injury or death to persons arising in any manner from the performance of the above referenced services, directly or indirectly arising, in whole or part, from this Contract.

8.0 GENERAL PROVISIONS

8.1 Compliance with Laws. In the performance of their obligations under this Contract, the Parties shall comply with all applicable federal, state or local laws, ordinances and regulations.

8.2 Governing Law. This Contract shall be construed and interpreted in accordance with the laws of the State of Texas, along with any applicable provisions of the federal, state, ordinances and Charters of each party.

8.3 Venue. The parties agree that this Contract shall be enforceable in Friendswood, Texas, and if legal action is necessary to enforce it, exclusive venue shall lie in Galveston County, Texas. .

8.4 Current Revenues. Pursuant to Section 791.001(d)(3), Texas Government Code, each party paying for the performance of governmental functions or services will make those payments from current revenues available to the paying party.

8.5 No Waiver. The failure of either party at any time to require performance by the other party of any provision of this Contract shall in no way affect the right of such party to require performance of that provision. Any waiver by either party of any breach of any provision of this Contract shall not be construed as a waiver of any continuing or succeeding breach of such

provision, a waiver or the provision itself, or a waiver of any right under this Contract.

8.6 Amendment; Assignability. This Contract and the obligations hereunder shall not be amended, assigned, transferred or encumbered, in any manner without the written consent of the other party.

8.7 Severability. All contracts and covenants contained in this Contract are severable. Should any term or provision of this Contract be declared illegal, invalid or unenforceable by a court of competent jurisdiction, the remainder of this Contract will not be affected; and in lieu of each provision which to be illegal, invalid or unenforceable, there will be added as part of this Contract, a provision which preserves the intention of the unenforceable provision, but which complies with the law.

8.8 Section Headings. The paragraph or section headings contained in this Contract are for reference purposes only and shall not in any way control the meaning or interpretation of this Contract.

8.9 Representation of Counsel; Mutual Negotiation. Each party has had the opportunity to be represented by counsel of its choice in negotiating this Contract. This Contract shall therefore be deemed to have been negotiated and prepared at the joint request, direction, and construction of the parties, at arms' length, with the advice and participation of counsel, and will be interpreted in accordance with its terms without favor to any party.

8.10 Notices. Any notice, demand, request, consent or approval that either party may or is required to provide to the other, shall be in writing and either personally delivered or sent via United States Postal Service certified mail return receipt requested, addressed to the other party at the following address(es) provided below or by hand-delivery:

FISD: Friendswood Independent School District
Attention: Superintendent
302 Laurel Drive
Friendswood, Texas 77546

CITY: City of Friendswood
Attention: City Manager
910 S. Friendswood Drive
Friendswood, Texas 77546-4856

Changes may be made to the above addresses and addressees through timely written notice provided to the other party.

8.11 Execution and Counterparts. This Contract may be executed in any number of counterparts; each of which when so executed and delivered shall be deemed an original, and such counterparts together shall constitute only one instrument. Any one of such counterparts shall be sufficient for the purpose of proving the existence and terms of this Contract, and no party shall be required to produce an original or all of such counterparts when making such proof.

8.12 Complete Contract. This Contract supersedes any and all other contracts, either oral or in writing, between the parties hereto with respect to the subject matter hereof, and this Contract, together with any Attachment(s) attached hereto, constitutes the entire contract between the parties relating to the terms and conditions of the Contract. The Parties expressly acknowledge and warrant that there exists no other written or oral understanding, contracts or assurances with respect to such matters except as are set forth herein. Unless expressly stated, this Contract confers no rights on any person(s) or business entity(s) that is not a party hereto.

8.13 Authorized by Governing Body; Warranty of Capacity to Execute Contract. This Contract is authorized by the governing body of each party. The person signing this Contract on behalf of each party warrants that he/she has the authority to do so and to bind each party to this Contract and all the terms and conditions contained herein.

IN WITNESS WHEREOF, this Contract has been executed by the Parties named hereinabove as of the date first written above.

CITY OF FRIENDSWOOD

MIKE FOREMAN, MAYOR

ATTEST:

Melinda Welsh, TRMC
City Secretary

FRIENDSWOOD INDEPENDENT SCHOOL DISTRICT



TODD ROHER, SUPERINTENDENT



City of Friendswood, TX
Attn: Administrative Services
910 South Friendswood Drive
Friendswood, TX 77546

March 21, 2019

REQUEST FOR APPROVAL OF PROPOSED INSTALLATION OF EQUIPMENT

SITE NUMBER	SITE NAME	PROJECT NUM.	CUSTOMER*
268232	Friendswood PS BLDG TX	12634580	Verizon Wireless
SITE ADDRESS		GROUND AGREEMENT	
1606 Whitaker Drive Friendswood, TX 77546-5403		License Agreement dated June 11, 2007	

* any reference to Verizon Wireless includes one or more of its related entities

Dear Landlord:

We, Tower Alliance, are assisting American Tower in the management of this site, including requesting consent from landlords on behalf of American Tower when such consent is required. We are writing to request your approval of a proposed equipment installation by Verizon Wireless, at this site. Verizon Wireless is an existing user of the tower at this site, however pursuant the ground agreement we are required to obtain your approval before we allow them to install their equipment. Included for your convenience are the construction drawings detailing this installation.

As wireless technology and coverage demands continue to change, providers routinely replace and upgrade equipment. Below are a few answers to frequently asked questions we receive from landlords on this type of project:

- All work will take place within the existing compound and on the existing tower.
- The overall appearance of the tower will remain similar.
- The modification of Verizon Wireless' equipment will not change the overall height of the tower.

If you could please approve of this proposed equipment modification by signing this letter below and returning it to my attention, either by mail or email, I would appreciate it. American Tower values our relationship with you so if there are any questions please do not hesitate to contact me directly.

Thank you for your time.

Sincerely,

Kristie Gusow

Kristie Gusow

Tower Alliance, LLC

Direct: 561-569-3011 Email: Kgusow@TowerAllianceLLC.com

Approval

I approve of the proposed modification of equipment by Verizon Wireless* at the site referenced above.

Signature: _____

Date: _____



2/29/19

Print Name: _____

Title: _____



City of Friendswood, TX
Attn: Administrative Services
910 South Friendswood Drive
Friendswood, TX 77546

March 21, 2019

REQUEST FOR APPROVAL OF PROPOSED INSTALLATION OF EQUIPMENT

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Thank you for your time.

Sincerely,

Kristie Gusow

Kristie Gusow

Tower Alliance, LLC

Direct: 561-569-3011 Email: Kgusow@TowerAllianceLLC.com

Approval

I approve of the proposed modification of equipment by Verizon Wireless* at the site referenced above.

Signature:  Date: 3/29/19

Print Name:

Title:

VZW LOCATION CODE: 255461
VZW SITE NAME: CHIGGER CREEK-HGCW-TX
PROJECT DESCRIPTION: 4TX ANTENNA RELOCATION /RECONFIGURATION
TOWER TYPE: 160' SELF-SUPPORT
SITE ADDRESS: 1606 WHITAKER DR
FRIENDSWOOD, TX 77546
(GALVESTON COUNTY)
JURISDICTION: CITY OF FRIENDSWOOD
PRESENT OCCUPANCY TYPE: TELECOMMUNICATIONS FACILITY
CURRENT ZONING: CSC
GEO ID #: 2656-0001-0002-000

PROJECT INFORMATION

LATITUDE N 29° 29' 47.80" +
LONGITUDE W 95° 12' 05.80" +

*GROUND ELEVATION (AMSL) = 31' ±

*INFORMATION PROVIDED BY ATC

SITE COORDINATES



LOCATION MAP

FROM HOUSTON TAKE I-45 SOUTH EXIT FM 528 TURN RIGHT PASS FM 518 3.4 MILE SITE ON YOUR LEFT BEHIND FRIENDSWOOD POLICE STATION BLDG.

DRIVING DIRECTIONS

LESSEE:
NAME: VERIZON WIRELESS
ADDRESS: 126 W GEMINI DR
CITY, STATE, ZIP: TEMPE, AZ 85283
CONTACT: OFFICE
PHONE: (480) 345-6600

TOWER MANAGER:
NAME: AMERICAN TOWER CORPORATION
ADDRESS: 19105 VON KARMAN AVE, STE 200
CITY, STATE, ZIP: IRVINE, CA 92612
CONTACT: KEVIN KLEIN
PHONE: (760) 402-6000
SITE NAME: FRIENDSWOOD PS BLDG TX
SITE NUMBER: 255461

CIVIL ENGINEER:
NAME: TOWER ENGINEERING PROFESSIONALS
ADDRESS: 326 TRYON ROAD
CITY, STATE, ZIP: RALEIGH, NC 27603
CONTACT: GRAHAM M. ANDRES, P.E.
PHONE: (919) 661-6351

PROPERTY OWNER:
NAME: CITY-FRIENDSWOOD
ADDRESS: PO BOX 1286
CITY, STATE, ZIP: FRIENDSWOOD, TX 77549

CONTACT INFORMATION

verizon

126 W GEMINI DR
TEMPE, AZ 85283

VZW LOCATION CODE: 255461
VZW SITE NAME: CHIGGER CREEK-HGCW-TX

1606 WHITAKER DR
FRIENDSWOOD, TX 77546
(GALVESTON COUNTY)

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITY, NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:

1. INTERNATIONAL BUILDING CODE (2015 EDITION)	A. 2015 IBC & ADDENDUM
2. TEXAS CODE CONSTRUCTION	B. LOCAL BUILDING CODE
3. ASHRAE 222-6-2-2009	C. CITY/COUNTY ORDINANCES

CODE COMPLIANCE

- REMOVE (1) ANTENNAS
- REMOVE (1) OVERHEAD
- REMOVE (1) OVERHEAD
- REMOVE (1) ANTENNAS
- REMOVE (1) OVERHEAD
- REMOVE (1) OVERHEAD

SCOPE OF WORK

SHEET	DESCRIPTION	REV
T1	TITLE SHEET	1
N1	PROJECT NOTES	1
C1	SITE PLAN	1
C2	COMPOUND LAYOUT	1
C3	TOWER ELEVATION	1
C4	ANTENNA LAYOUT	1
C5A	EXISTING ANTENNA SCHEDULE	1
C5B	PROPOSED ANTENNA SCHEDULE	1
C6	EQUIPMENT DETAILS	1

INDEX OF SHEETS

PLANS PREPARED BY:

TOWER ENGINEERING PROFESSIONALS
326 TRYON ROAD
RALEIGH, NC 27603-3530
OFFICE: (919) 661-6351
www.tepgroup.net

1	03-13-19	100% CONSTRUCTION
0	03-11-19	PRELIMINARY
REV	DATE	ISSUED FOR:

DRAWN BY: JPD CHECKED BY: DEL

SEAL:

03-15-19
Electronic Code Book
Tower Engineering Professionals
Seal Form # T-1047

SHEET NUMBER: **T-1** REVISION: **1**
TEP#: 755-52.1 G2555

PROJECT NOTES:

1. ALL REFERENCES TO THE OWNER IN THESE DOCUMENTS SHALL BE CONSIDERED VERIZON WIRELESS OR ITS DESIGNATED REPRESENTATIVE.
2. ALL WORK PRESENTED ON THESE DRAWINGS MUST BE COMPLETED BY THE CONTRACTOR UNLESS NOTED OTHERWISE. THE CONTRACTOR MUST HAVE CONSIDERABLE EXPERIENCE IN PERFORMANCE OF WORK SIMILAR TO THAT DESCRIBED HEREIN. BY ACCEPTANCE OF THIS ASSIGNMENT, THE CONTRACTOR IS ATTESTING THAT HE DOES HAVE SUFFICIENT EXPERIENCE AND ABILITY, THAT HE IS KNOWLEDGEABLE OF THE WORK TO BE PERFORMED AND THAT HE IS PROPERLY LICENSED AND PROPERLY REGISTERED TO DO THIS WORK IN THE STATE OF TEXAS.
3. WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE 2012 INTERNATIONAL BUILDING CODE.
4. UNLESS SHOWN OR NOTED OTHERWISE ON THE CONTRACT DRAWINGS, OR IN THE SPECIFICATIONS, THE FOLLOWING NOTES SHALL APPLY TO THE MATERIALS LISTED HEREIN, AND TO THE PROCEDURES TO BE USED ON THIS PROJECT.
5. ALL HARDWARE ASSEMBLY MANUFACTURER'S INSTRUCTIONS SHALL BE FOLLOWED EXACTLY AND SHALL SUPERSEDE ANY CONFLICTING NOTES ENCLOSED HEREIN.
6. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO DETERMINE ERECTION PROCEDURE AND SEQUENCE TO INSURE THE SAFETY OF THE STRUCTURE AND ITS COMPONENT PARTS DURING ERECTION AND/OR FIELD MODIFICATIONS. THIS INCLUDES, BUT IS NOT LIMITED TO, THE ADDITION OF TEMPORARY BRACING, GUYS OR RE-DOWNS THAT MAY BE NECESSARY. SUCH MATERIAL SHALL BE REMOVED AND SHALL REMAIN THE PROPERTY OF THE CONTRACTOR AFTER THE COMPLETION OF THE PROJECT.
7. ALL DIMENSIONS, ELEVATIONS, AND EXISTING CONDITIONS SHOWN ON THE DRAWINGS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO BEGINNING ANY MATERIALS ORDERING, FABRICATION OR CONSTRUCTION WORK ON THIS PROJECT. CONTRACTOR SHALL NOT SCALE CONTRACT DRAWINGS IN LIEU OF FIELD VERIFICATIONS. ANY DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER AND THE OWNER'S ENGINEER. THE DISCREPANCIES MUST BE RESOLVED BEFORE THE CONTRACTOR IS TO PROCEED WITH THE WORK. THE CONTRACT DOCUMENTS DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES. OBSERVATION VISITS TO THE SITE BY THE OWNER AND/OR THE ENGINEER SHALL NOT INCLUDE INSPECTION OF THE PROTECTIVE MEASURES OR THE PROCEDURES.
8. ALL MATERIALS AND EQUIPMENT FURNISHED SHALL BE NEW AND OF GOOD QUALITY, FREE FROM FAULTS AND DEFECTS AND IN CONFORMANCE WITH THE CONTRACT DOCUMENTS. ANY AND ALL SUBSTITUTIONS MUST BE PROPERLY APPROVED AND AUTHORIZED IN WRITING BY THE OWNER AND ENGINEER PRIOR TO INSTALLATION. THE CONTRACTOR SHALL FURNISH SATISFACTORY EVIDENCE AS TO THE KIND AND QUALITY OF THE MATERIALS AND EQUIPMENT BEING SUBSTITUTED.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING, AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT THIS PROJECT AND RELATED WORK COMPLIES WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL SAFETY CODES AND REGULATIONS GOVERNING THIS WORK.
10. ACCESS TO THE PROPOSED WORK SITE MAY BE RESTRICTED. THE CONTRACTOR SHALL COORDINATE INTENDED CONSTRUCTION ACTIVITY, INCLUDING WORK SCHEDULE AND MATERIALS ACCESS, WITH THE RESIDENT LEASING AGENT FOR APPROVAL.
11. ALL PERMITS THAT MUST BE OBTAINED ARE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR WILL BE RESPONSIBLE FOR ADDRESSING BY ALL CONDITIONS AND REQUIREMENTS OF THE PERMITS.
12. IF APPLICABLE, ALL CONCRETE WORK SHALL COMPLY TO LOCAL CODES AND THE ACI 318-11, "BUILDING REQUIREMENTS FOR STRUCTURAL CONCRETE".
13. ALL TOWER DIMENSIONS SHALL BE VERIFIED WITH THE PLANS (LATEST REVISION) PRIOR TO COMMENCING CONSTRUCTION. NOTIFY THE ENGINEER IMMEDIATELY IF ANY DISCREPANCIES ARE DISCOVERED. THE OWNER SHALL HAVE A SET OF APPROVED PLANS AVAILABLE AT THE SITE AT ALL TIMES WHILE WORK IS BEING PERFORMED. A DESIGNATED RESPONSIBLE EMPLOYEE SHALL BE AVAILABLE FOR CONTACT BY GOVERNING AGENCY INSPECTORS.
14. ALL TOWER MODIFICATION WORK SHALL BE IN ACCORDANCE WITH TIA-1019-A STANDARD FOR INSTALLATION, ALTERATION AND MAINTENANCE OF ANTENNA SUPPORTING STRUCTURES AND ANTENNAS.

PLANS PREPARED FOR:

verizon

126 W GEMINI DR
TEMPE, AZ 85283
OFFICE: (480) 345-9600

PROJECT INFORMATION:

VZW LOCATION
CODE: 255461
VZW SITE NAME:
CHIGGER
CREEK-HGCW-TX
1608 WHITAKER DR
FRIENDSWOOD, TX 77546
(GALVESTON COUNTY)

PLANS PREPARED BY:



TOWER ENGINEERING PROFESSIONALS
328 TRYON ROAD
RALEIGH, NC 27603-3530
OFFICE: (919) 661-5351
www.tepgroup.net

SEAL:



Electronic Copy Tower Engineering Professionals
Scale Form E-511047

I	03-13-19	100% CONSTRUCTION
C	03-11-19	PRELIMINARY
REV	DATE	ISSUED FOR:

DRAWN BY: PHD CHECKED BY: DEL

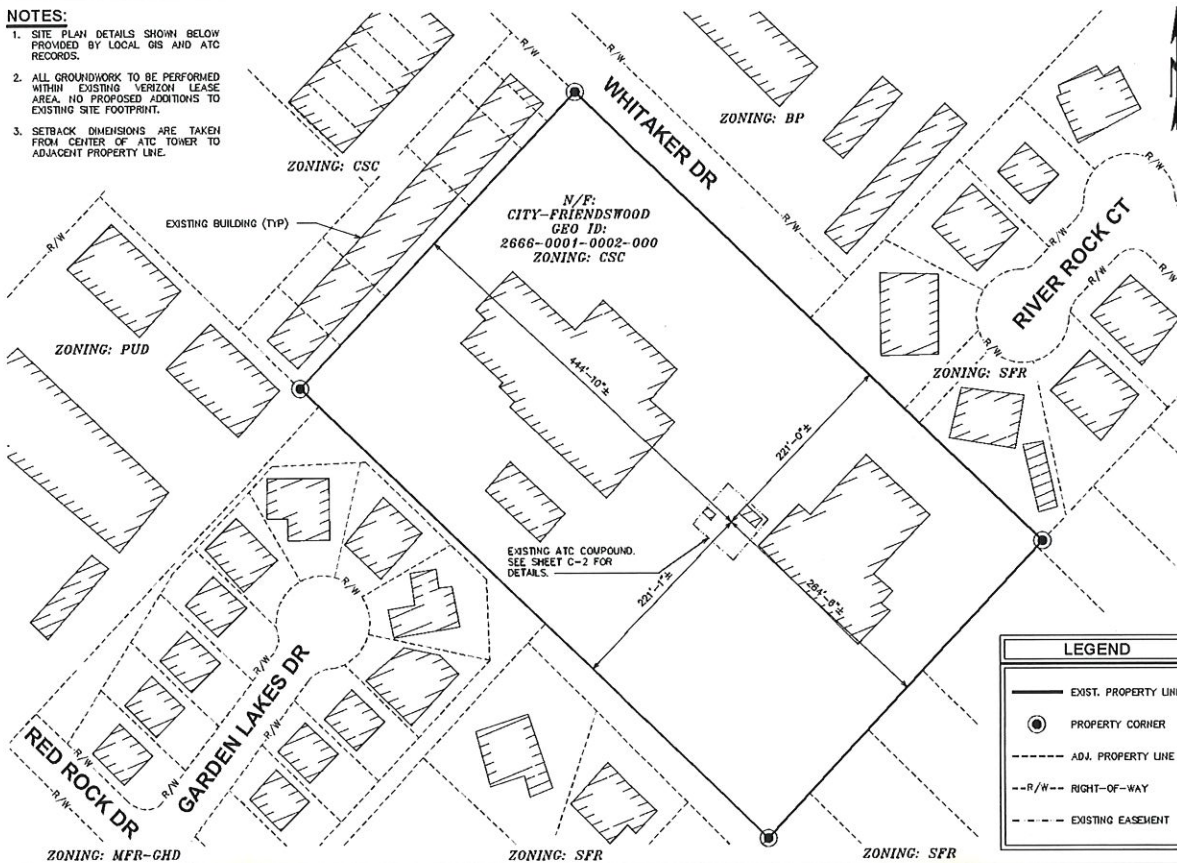
SHEET TITLE:

**PROJECT
NOTES**

SHEET NUMBER: **N-1** REVISION: **1**
TEP #: 70042, 163000

NOTES:

1. SITE PLAN DETAILS SHOWN BELOW PROVIDED BY LOCAL GIS AND ATC RECORDS.
2. ALL GROUNDWORK TO BE PERFORMED WITHIN EXISTING VERIZON LEASE AREA. NO PROPOSED ADDITIONS TO EXISTING SITE FOOTPRINT.
3. SETBACK DIMENSIONS ARE TAKEN FROM CENTER OF ATC TOWER TO ADJACENT PROPERTY LINE.



SITE PLAN

SCALE: 1" = 100'

PLANS PREPARED FOR:

verizon

126 W GEMIN DR
TEMPE, AZ 85283
OFFICE: (480) 345-5600

PROJECT INFORMATION:

**VZW LOCATION
CODE: 255461
VZW SITE NAME:
CHIGGER
CREEK-HGCW-TX**
1606 WHITAKER DR
FRIENDSWOOD, TX 77546
(GALVESTON COUNTY)

PLANS PREPARED BY:



TOYER ENGINEERING PROFESSIONALS
326 TRYON ROAD
RALEIGH, NC 27603-8530
OFFICE: 919-651-8551
www.teg.us

SEAL:



1	03-13-19	100% CONSTRUCTION
0	03-11-19	PRELIMINARY
REV	DATE	ISSUED FOR:

DRAWN BY: JMD CHECKED BY: DEL

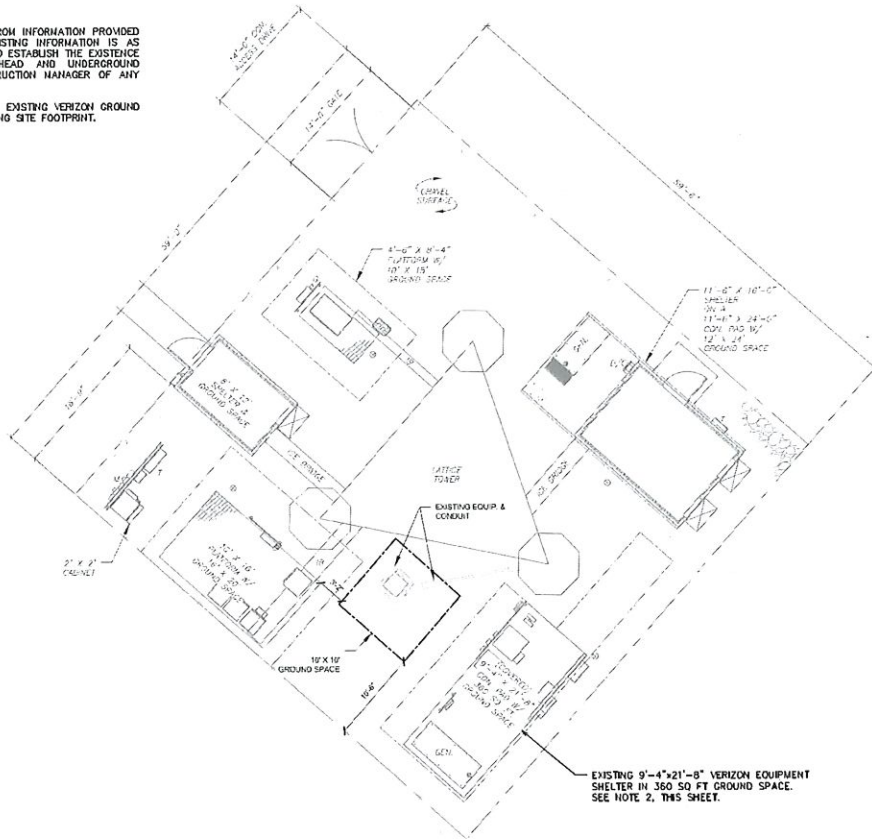
SHEET TITLE:

SITE PLAN

SHEET NUMBER:	REVISION:
C-1	1
TEP #: 70042-160000	

NOTES:

1. COMPOUND DETAIL SHOWN BELOW TAKEN FROM INFORMATION PROVIDED BY ATC. CONTRACTOR TO VERIFY ALL EXISTING INFORMATION IS AS INDICATED ON SITE PLAN. CONTRACTOR IS TO ESTABLISH THE EXISTENCE AND LOCATION OF ALL EXISTING OVERHEAD AND UNDERGROUND UTILITIES. IMMEDIATELY NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES.
2. ALL GROUNDWORK TO BE PERFORMED WITHIN EXISTING VERIZON GROUND SPACE. NO PROPOSED ADDITIONS TO EXISTING SITE FOOTPRINT.



COMPOUND DETAIL

SCALE: N.T.S.

PLANS PREPARED FOR:

verizon

126 W GEMIN DR
IRVING, TX 75039
OFFICE: (480) 345-5600

PROJECT INFORMATION:

VZW LOCATION
CODE: 255461
VZW SITE NAME:
CHIGGER
CREEK-HGCW-TX
1606 WHITAKER DR
FRIENDSWOOD, TX 77546
(GALVESTON COUNTY)

PLANS PREPARED BY:



TOWER ENGINEERING PROFESSIONALS
325 TRIVOLI ROAD
RALEIGH, NC 27603-3530
OFFICE: 919-691-3551
FAX: 919-691-3551

SEAL:



1 03-13-19 100% CONSTRUCTION

0 03-11-19 PRELIMINARY

REV DATE ISSUED FOR:

DRAWN BY: JMD CHECKED BY: DEL

SHEET TITLE:

COMPOUND
DETAIL

SHEET NUMBER: REVISION:

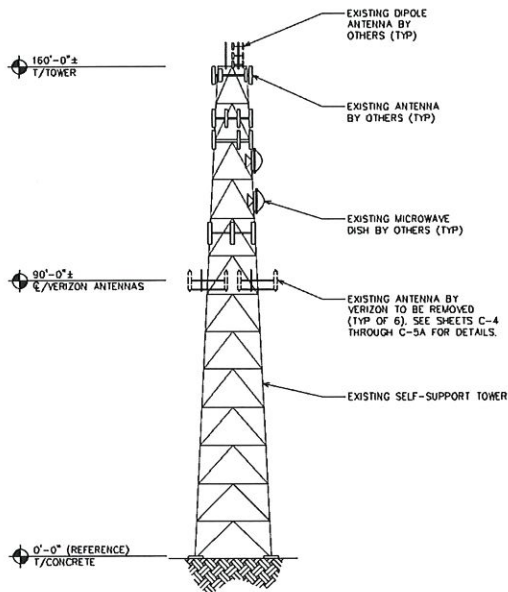
C-2

1

TEP# 70042.1G0000

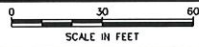
NOTE:

TOWER ELEVATION IS FOR SCHEMATIC PURPOSES ONLY. TEP DID NOT CONFIRM EXISTING SITE CONDITIONS INCLUDING, BUT NOT LIMITED TO, ANTENNA HEIGHTS, ANTENNA AZIMUTHS, AND MOUNT CONFIGURATIONS.



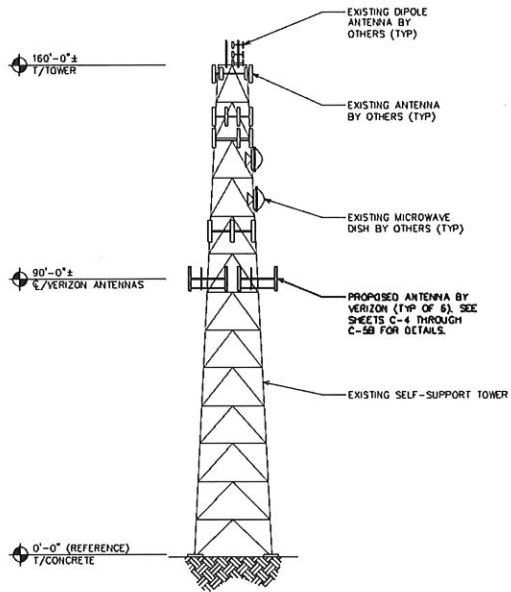
EXISTING TOWER ELEVATION

SCALE: 1" = 30'



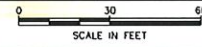
NOTE:

TOWER ELEVATION IS FOR SCHEMATIC PURPOSES ONLY. TEP DID NOT CONFIRM EXISTING SITE CONDITIONS INCLUDING, BUT NOT LIMITED TO, ANTENNA HEIGHTS, ANTENNA AZIMUTHS, AND MOUNT CONFIGURATIONS.



PROPOSED TOWER ELEVATION

SCALE: 1" = 30'

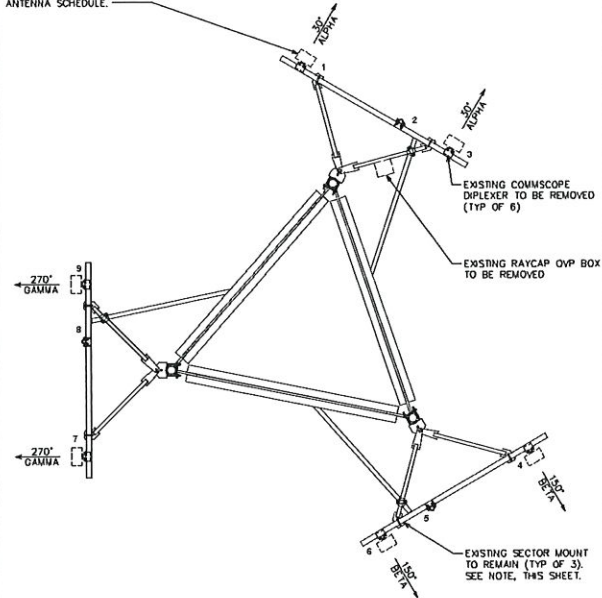


PLANS PREPARED FOR:	
verizon 126 W GEMINI DR TEMPE, AZ 85283 OFFICE: (480) 345-5600	
PROJECT INFORMATION:	
VZW LOCATION CODE: 255461 VZW SITE NAME: CHIGGER CREEK-HGCW-TX 1606 WHITAKER DR FRENDSWOOD, TX 77546 (GALVESTON COUNTY)	
PLANS PREPARED BY:	
 TOWER ENGINEERING PROFESSIONALS 328 TRYON ROAD RALEIGH, NC 27605-3300 OFFICE: (919) 561-5321 WWW.TEP-INC.COM	
SEAL:	
 GRAHAM M. ANDRES 113549 LICENSED PROFESSIONAL ENGINEER 03-13-19 Electronic Copy	
1	03-13-19 100% CONSTRUCTION
0	03-11-19 PRELIMINARY
REV	DATE ISSUED FOR:
DRAWN BY: PHD CHECKED BY: DEL	
SHEET TITLE:	
TOWER ELEVATION	
SHEET NUMBER:	REVISION:
C-3	1
TEP#: 722-42-16566	

NOTE:

EXISTING MOUNT HAS SUFFICIENT STRUCTURAL CAPACITY. SEE PASSING APPURTENANCE MOUNT ANALYSIS REPORT BY TEP, DATED MARCH 12, 2019 FOR DETAILS.

EXISTING ANTENNA #1 TO BE REMOVED (TYP OF 6). SEE SHEET C-5A FOR EXISTING ANTENNA SCHEDULE.



EXISTING ANTENNA PLAN

SCALE: 3/8" = 1'-0"

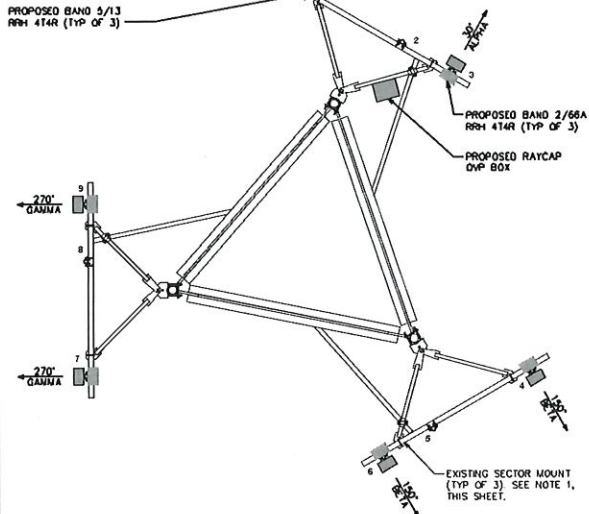
SCALE IN FEET

NOTES:

1. EXISTING MOUNT HAS SUFFICIENT STRUCTURAL CAPACITY. SEE PASSING APPURTENANCE MOUNT ANALYSIS REPORT BY TEP, DATED MARCH 12, 2019 FOR DETAILS.
2. CONTRACTOR TO VERIFY PROPOSED LOADING WITH TOWER STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION.

PROPOSED ANTENNA #2 (TYP OF 6). SEE SHEET C-5B FOR PROPOSED ANTENNA SCHEDULE.

PROPOSED BAND 5/13 RPH 414R (TYP OF 3)



PROPOSED ANTENNA PLAN

SCALE: 3/8" = 1'-0"

SCALE IN FEET

PLANS PREPARED FOR:

verizon

126 W GEVING DR
TEMPLE, AZ 85283
OFFICE: (480) 345-5600

PROJECT INFORMATION:

VZW LOCATION
CODE: 255461
VZW SITE NAME:
CHIGGER
CREEK-HGCW-TX
1606 WHITAKER DR
FRIENDSWOOD, TX 77546
(DALLAS COUNTY)

PLANS PREPARED BY:



TOUR ENGINEERING PROFESSIONALS
328 TRYON ROAD
RALEIGH, NC 27603-6500
OFFICE: (919) 677-5333
www.tepco.net

SEAL:



03-13-19

1	03-13-19	ICC'S CONSTRUCTION
0	03-11-19	PRELIMINARY
REV	DATE	ISSUED FOR:

DRAWN BY: FMD CHECKED BY: CEL

SHEET TITLE:

ANTENNA LAYOUT

SHEET NUMBER: C-4

REVISION: 1

TEP# 700-42-160000

EXISTING ANTENNA/FEEDLINE SCHEDULE							
SECTOR	POS.	ANTENNA # (DIMENSIONS)	MOUNTING HEIGHT	CABLE SIZE	AZIMUTH (TH)	**CABLE LENGTH	OVP/RRH/TMA/DIPLEXER (MODEL #)
ALPHA	1	*ANTENNA #1 (72.0"x12.5"x7.3")	± 90'-0"	(1) 15" COAX (1) 6x12 HYBRIFLEX	30°	140'±	*(1) RAYCAP OVP [OVP 6] *(2) COMMSCOPE DIPLEXERS
ALPHA	2	-	-		-		
ALPHA	3	*ANTENNA #1 (72.0"x12.5"x7.3")	± 90'-0"		30°		
BETA	4	*ANTENNA #1 (72.0"x12.5"x7.3")	± 90'-0"		150°		*(2) COMMSCOPE DIPLEXERS
BETA	5	-	-		-		
BETA	6	*ANTENNA #1 (72.0"x12.5"x7.3")	± 90'-0"		150°		
GAMMA	7	*ANTENNA #1 (72.0"x12.5"x7.3")	± 90'-0"		270°		*(2) COMMSCOPE DIPLEXERS
GAMMA	8	-	-		-		
GAMMA	9	*ANTENNA #1 (72.0"x12.5"x7.3")	± 90'-0"		270°		

*EXISTING ANTENNA/EQUIPMENT TO BE REMOVED.
 **CONTRACTOR TO VERIFY CABLE LENGTH PRIOR TO CONSTRUCTION.
 ***ANTENNA DESIGN BASED ON INFORMATION PROVIDED BY AMERICAN TOWER CORPORATION IN THE FORM OF AN APPLICATION (ID: 12634580).

EXISTING ANTENNA SCHEDULE

SCALE: N.T.S.

PLANS PREPARED FOR: verizon 126 W GEMINI DR TEMPE, AZ 85283 OFFICE: (480) 345-5600	
PROJECT INFORMATION: VZW LOCATION CODE: 255461 VZW SITE NAME: CHIGGER CREEK-HGCW-TX 1608 WHITAKER DR FRIENDSWOOD, TX 77546 (DALLAS COUNTY)	
PLANS PREPARED BY:  TOWER ENGINEERING PROFESSIONALS 328 TRYON ROAD RALEIGH, NC 27603-3530 OFFICE: (919) 661-3551 www.teproup.net	
SEAL:  GRAHAM M. ANDRES 113549 PROFESSIONAL ENGINEER State of Texas Tower Engineering Professionals Texas Form # ET-1987 03-13-19	
1 03-13-19 ICC% CONSTRUCTION 0 03-11-19 PRELIMINARY REV DATE ISSUED FOR:	DRAWN BY: PHD CHECKED BY: DEL SHEET TITLE: EXISTING ANTENNA SCHEDULE
SHEET NUMBER: C-5A	REVISION: 1 TEP #: 70042-160000

NOTES:

1. CONTRACTOR TO REFERENCE VERIZON ISSUED RFDS AND GIVE PRECEDENCE TO INFORMATION PROVIDED IN RFDS OVER INFORMATION PROVIDED IN THIS TABLE.
2. VERIFY LOADING WITH STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION.
3. IF STRUCTURAL ANALYSIS AND RFDS DO NOT MATCH CONTRACTOR IS TO CONTACT AMERICAN TOWER CORPORATION IMMEDIATELY.

PROPOSED EQUIPMENT IN BOLD

PROPOSED ANTENNA/FEEDLINE SCHEDULE							
SECTOR	POS.	ANTENNA # (DIMENSIONS)	MOUNTING HEIGHT	CABLE SIZE	AZIMUTH (TN)	*CABLE LENGTH	OVP/RRH/TMA/DIPLEXER (MODEL #)
ALPHA	1	ANTENNA #2 (96.0"x11.9"x7.1")	90'-0"±	(1) 1 1/2" COAX (1) 8x12 HYBRIFLEX	30°	140'±	(1) RAYCAP GYP (RCMDC-6627-PF-48) (1) NOKIA RRH (AHSIC AIRSCALE DUAL RRH 4T4R B2/66A 320W) (1) NOKIA RRH (AHSIC AIRSCALE DUAL RRH 4T4R B5/13 320W)
ALPHA	2	-	-		-		
ALPHA	3	ANTENNA #2 (96.0"x11.9"x7.1")	90'-0"±		30°		
BETA	4	ANTENNA #2 (96.0"x11.9"x7.1")	90'-0"±		150°		(1) NOKIA RRH (AHSIC AIRSCALE DUAL RRH 4T4R B2/66A 320W) (1) NOKIA RRH (AHSIC AIRSCALE DUAL RRH 4T4R B5/13 320W)
BETA	5	-	-		-		
BETA	6	ANTENNA #2 (96.0"x11.9"x7.1")	90'-0"±		150°		
GAMMA	7	ANTENNA #2 (96.0"x11.9"x7.1")	90'-0"±		270°		(1) NOKIA RRH (AHSIC AIRSCALE DUAL RRH 4T4R B2/66A 320W) (1) NOKIA RRH (AHSIC AIRSCALE DUAL RRH 4T4R B5/13 320W)
GAMMA	8	-	-		-		
GAMMA	9	ANTENNA #2 (96.0"x11.9"x7.1")	90'-0"±		270°		

*CONTRACTOR TO VERIFY CABLE LENGTH PRIOR TO CONSTRUCTION.

**ANTENNA DESIGN BASED ON INFORMATION PROVIDED BY AMERICAN TOWER CORPORATION IN THE FORM OF AN APPLICATION (ID: 12634580).

PROPOSED ANTENNA SCHEDULE

SCALE: N.T.S.

PLANS PREPARED FOR:

verizon

126 W GEMINI DR
TEMPE, AZ 85283
OFFICE: (480) 345-5600

PROJECT INFORMATION:

VZW LOCATION
CODE: 255461
VZW SITE NAME:
CHIGGER
CREEK-HGCW-TX
1606 WHITAKER DR
FRIENDSWOOD, TX 77546
(DALLAS COUNTY)

PLANS PREPARED BY:



TOYER ENGINEERING PROFESSIONALS
305 TRYON ROAD
RALEIGH, NC 27603-3530
OFFICE: 919-699-6351
WWW.TEOPROF.COM

SEAL:



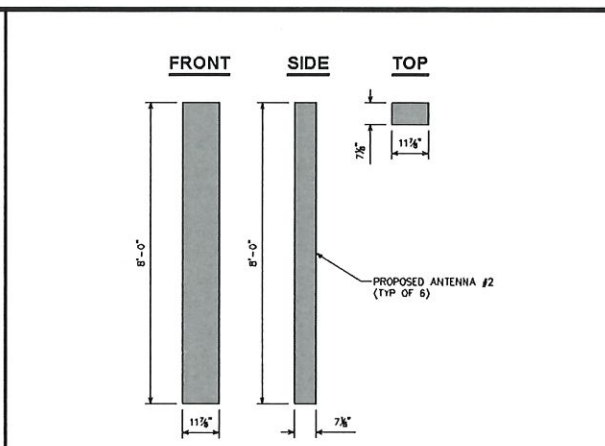
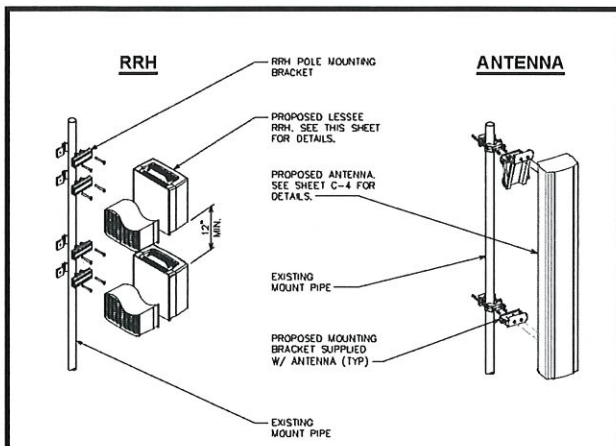
1	03-13-19	ICOPY, CONSTRUCTION
0	03-11-19	PRELIMINARY
REV	DATE	ISSUED FOR:

DRAWN BY: RMD | CHECKED BY: DEL

SHEET TITLE:

**PROPOSED ANTENNA
SCHEDULE**

SHEET NUMBER: **C-5B** | REVISION: **1**
ICP#: 70042.167056

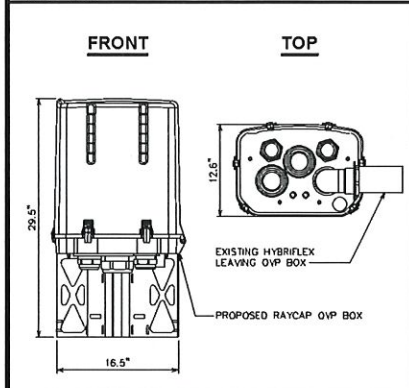


EQUIPMENT MOUNTING DETAIL

SCALE: N.T.S.

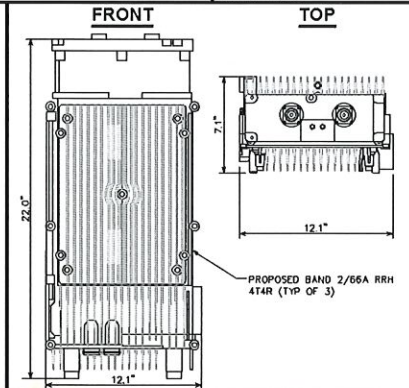
PROPOSED ANTENNA #2 DETAIL

SCALE: N.T.S.



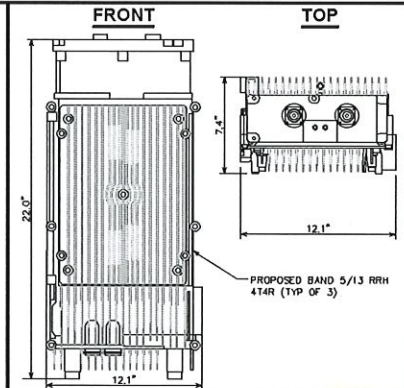
PROPOSED RAYCAP OVP BOX DETAIL

SCALE: N.T.S.



PROPOSED BAND 2/66A RRH 4T4R DETAIL

SCALE: N.T.S.



PROPOSED BAND 5/13 RRH 4T4R DETAIL

SCALE: N.T.S.

PLANS PREPARED FOR: verizon 126 W GEMINI DR TEMPE, AZ 85283 OFFICE: (480) 345-5600	
PROJECT INFORMATION: VZW LOCATION CODE: 255461 VZW SITE NAME: CHIGGER CREEK-HGCW-TX 1606 WHITAKER DR FRIENDSWOOD, TX 77546 (GALVESTON COUNTY)	
PLANS PREPARED BY:  TOWER ENGINEERING PROFESSIONALS 325 TRYON ROAD RALEIGH NC 27602-5330 OFFICE: (919) 871-5351 www.tepco.net	
SEAL:  GRAHAM M. ANDRES 113549 LICENSED PROFESSIONAL ENGINEER State of Texas 03-13-19 Electronic Copy Tower Engineering Professionals Texas Form # E-11687	
I 03-13-19 100% CONSTRUCTION C 03-11-19 PRELIMINARY REV DATE ISSUED FOR:	DRAWN BY: RND CHECKED BY: DEL SHEET TITLE: EQUIPMENT DETAILS
SHEET NUMBER: C-6	REVISION: 1 TEP# 76642-16066G



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 22, 2019

Dept. Clearances: B. Mansfield

Prepared by: D. Murphree

Subject: Purchase of New Ambulance

Originating Department: FVFD

City Attorney Review: mkf

Proceeding: Consent

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: \$202,110

Amount Budgeted: *

Appropriation Required: \$202,110

Source of Funds: Fire/EMS Donations

FINANCE APPROVAL: RGB

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

The Friendswood Volunteer Fire Department EMS Division is requesting approval to purchase a new ambulance to replace Ambulance 47 and use 47 as a trade-in. This vehicle is expected to be delivered December 2020. This vehicle is on the FVFD 15 year capital equipment plan for replacement in FY2020 budget year.

The new ambulance is described as a Frazer Type I 14' Module. This Module will be mounted on a 2019 Ford F-450 Diesel Chassis. Based on the attached quote, the total will be **\$202,110**, which includes the HGAC fee of \$1,000 but also includes a reduction of \$7,000 for the trade-in of the 2005 Chevy C4500, and a limited edition discount of \$10,490.

*Funding will be provided through the Fire/EMS donation fund account that is managed by the FVFD.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

The current vehicle is a 2005 with over 150,000 miles and the ambulance module does not meet current State safety standards. The purchase of this new ambulance will allow the FVFD EMS Division to maintain their response fleet with reliable vehicles.

RECOMMENDATIONS

Friendswood Volunteer Fire Department EMS Division requests City Council's authorization to purchase a new ambulance to replace Ambulance 47 and use this 2005 vehicle as a trade-in.

ATTACHMENTS

[Frazer Quote](#)
[Form 1295](#)



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Customer Quote

Order No.: Q1212-0001

Quote Date: 3/20/2019

Expiration Date: 6/18/2019

Salesperson: Wesley Pate

Invoice To:

Friendswood VFD EMS
City of Friendswood
1610 Harold Whitaker Dr.
Friendswood TX 77546
US

Attention:

Chief
Lisa Camp
lmc400@swbell.net

Order Instructions:

Pricing includes Limited Edition discount. Any changes to the specifications will require evaluation to determine if discount is still applicable.

No.	Item	Quantity	U/M		Unit Price		Net Amount
1	MODULE Type I 14' Module	1.000	EA	\$	168,600.00	\$	168,600.00
2	CHASSIS 2019 Ford F-450 Diesel	1.000	EA	\$	50,000.00	\$	50,000.00
3	DELIVERY Customer Pick Up - FOB Frazer	0.000	M	\$	2.75	\$	0.00
4	HGAC-NEW HGAC Fee for a New Unit	1.000	EA	\$	1,000.00	\$	1,000.00
5	TRADE-IN Module 2005 Chevy C4500 Diesel; 1GBC1275P511569; running condition;158,086 miles	1.000	EA	\$	-7,000.00	\$	-7,000.00



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Customer Quote

Order No.: Q1212-0001

Quote Date: 3/20/2019

Expiration Date: 6/18/2019

Remit To:

Per TMVCC, we are quoting this through our
licensed franchise dealer, Sterling McCall Ford

Sterling McCall Ford
6445 Southwest Freeway
Houston TX 77074

Sale Amount:	212,600.00
Order Disc(4.9341 %):	-10,490.00
Sales Tax:	0.00
Total Amount:	202,110.00

Payment Terms: Net 30 Days

Special Instructions:

Email this quote along with your PO to sales@frazerbilt.com.
Graphics pricing includes two hours' design time in the base price.
More extensive graphics or multiple changes will be billed at \$100/hr.



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For your convenience, all pricing has been itemized below per quote Q1212-0001 for Friendswood VFD EMS

Base Module	\$ 104,900.00
Chassis Exterior	\$ 17,750.00
Module Exterior	\$ 24,950.00
Chassis Interior	\$ 4,200.00
Module Interior	\$ 16,800.00
Total \$	168,600.00

Items included in above totals:

1. Type I 14' Module	\$ incl
2. This is a CAAS Unit	\$ incl

Chassis Exterior:

3. Heat Shielding for Diesel Chassis	\$ 1,575.00
4. Chassis : 2019 Ford F-450 , Diesel , 4x2 , Regular Cab , 108" Cab to Axle , Ford White (FA90:YO)	\$ incl
5. Suspension: LiquidSpring	\$ 11,550.00
6. Wheel type: Stainless steel covers	\$ incl
7. Chassis Steps: ArcRite with Sure Grip	\$ 1,050.00
8. Grille Guard: Ranch Hand Grille Guard with Wraparounds	\$ incl
9. 10" and 12" Air Horns	\$ 1,125.00
10. Compressor Type: Standard Compressor	\$ 650.00
11. Switching Options: Momentary	\$ 75.00
12. Siren Amplifier: Howler	\$ 1,325.00
13. Passenger's side Grille Light: Whelen M6 Red/Blue Light	\$ 100.00
14. Driver's side Grille Light: Whelen M6 Red/Blue Light	\$ 100.00
15. Passenger's side Intersect Light: Whelen M6 Red/Blue Light	\$ 100.00
16. Driver's side Intersect Light: Whelen M6 Red/Blue Light	\$ 100.00
Chassis Exterior Subtotal \$	17,750.00

Module Exterior:

17. Power Source: MEPS	\$ 15,000.00
18. Module Paint Layout: White - Frazer White (BT650TS)	\$ incl
19. Rear Wall 3M Conspicuity Layout - Chevron : White Base Color and Red - Translucent Overlay	\$ 1,575.00
20. Conspicuity Squares on Entry Doors Matching the Rear Wall	\$ 475.00
21. Frazer Provided Graphics	\$ 3,500.00



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22. Body Drop on the Passenger's Side Forward of Rear Wheels	\$	incl
23. Shore Power: Single 30 Amp on Front Wall	\$	incl
24. Pigtail/Plug Option: Pigtail	\$	incl
25. Coax 1 : Run coax from location 1 to Chassis	\$	incl
26. Coax 2 : Run coax from location 2 to Chassis	\$	incl
27. Coax 3 : Run coax from location 3 to Electrical Compartment	\$	incl
28. Coax 4 : Run coax from location 4 to Electrical Compartment	\$	incl
29. Front Wall Light Layout: Middle 5 Lights	\$	incl
30. Front Wall Light #1: Whelen M9 Blue Light	\$	125.00
31. Front Wall Light #2: Whelen M9 Red Light	\$	125.00
32. Front Wall Light #3: Whelen M9 Clear Light	\$	125.00
33. Front Wall Light #4: Whelen M9 Red Light	\$	125.00
34. Front Wall Light #5: Whelen M9 Blue Light	\$	125.00
35. Front Wall Driver Side Box Light: Whelen M9 Red Light	\$	125.00
36. Front Wall Passenger Box Light: Whelen M9 Red Light	\$	125.00
37. Driver Wall Front Box Light: Whelen M9 Red Light	\$	125.00
38. Driver Wall Rear Box Light: Whelen M9 Red Light	\$	125.00
39. Driver Wheel Well Light: Whelen M9 Red/Clear Light	\$	175.00
40. Scene Light Option: Spectra SPA900	\$	incl
41. O2 Compartment Layout: Laydown O2 with Divider and Adjustable Shelf	\$	225.00
42. O2 Rollers for an H Cylinder	\$	incl
43. O2 Cylinder Changing Wrench	\$	75.00
44. Intermediate Compartment Style: Horizontal Adjustable Shelf	\$	incl
45. Electrical Compartment Style: Taller Electrical Compartment	\$	incl
46. Dometic Self-Contained A/C with Exhaust Fan	\$	incl
47. Rear Storage Compartment Style: Rear Storage with Adjustable Shelf with I/O Access	\$	275.00
48. Rear Storage I/O Opening Size: 15" Height Opening	\$	incl
49. Module Window Option: Sliding Window	\$	incl
50. Upper Rear Wall Light Layout: 3 Across	\$	incl
51. Upper Light #1: Whelen M9 Load Light	\$	175.00
52. Upper Light #2: Whelen M9 Amber Light	\$	125.00
53. Upper Light #3: Whelen M9 Load Light	\$	175.00
54. Lower Light #1 Whelen M9 Brake/Tail/Turn Red Light	\$	200.00



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55. Lower Light #2 Whelen M9 Brake/Tail/Turn Red Light	\$	200.00
56. Lower Light #3 Whelen M9 Blue Light	\$	125.00
57. Lower Light #4 Whelen M9 Blue Light	\$	125.00
58. Rear Wall Driver Box Light: Whelen M9 Red Light	\$	125.00
59. Rear Wall Passenger Box Light: Whelen M9 Red Light	\$	125.00
60. Rear Backboard: No Shelf	\$	incl
61. Lower BTTs: 2 Grote Lights on each side	\$	incl
62. Treadbrite Add on: Warning Lights Below Rear Entry Doors	\$	600.00
63. Driver Side Treadbrite Light: Whelen M4 Amber Light and Passenger Side Treadbrite Light: Whelen M4 Amber Light	\$	incl
64. Rear Bumper	\$	incl
65. Door Grabbers	\$	incl
66. License Plate Light	\$	incl
67. Passenger Wall Front Box Light: Whelen M9 Red Light	\$	125.00
68. Passenger Wall Rear Box Light: Whelen M9 Red Light	\$	125.00
69. Passenger Wheel Well Light: Whelen M9 Red/Clear Light	\$	175.00
70. Front Backboard Style: Double adjustable shelving	\$	125.00
71. Interior Step Option: Double Step Well	\$	incl
72. Passenger Rear Compartment Style: Passenger Side Storage Compartment	\$	incl
Module Exterior Subtotal		\$ 24,950.00
Chassis Interior:		
73. Siren Speakers: Whelen SA 315 Speakers	\$	incl
74. Tap-2 on Primary Siren	\$	incl
75. Siren Option: Whelen C9 Siren in Console	\$	incl
76. Mic 1 on on passenger's side slot 1	\$	incl
77. Slot 1: Single Thicker MDT Plate	\$	75.00
78. Slot 2: Single Slot Switch Panel	\$	incl
79. Slot 3: Siren 1	\$	incl
80. Slot 4: Radio Plate Item ID 19868	\$	incl
81. Slot 5: Single Blank	\$	incl
82. Slot 6: Single Blank	\$	incl
83. Kussmaul USB at Console	\$	225.00
84. Console Switch Layout : Primary - Secondary - Air Horn - Howler - Side Scene	\$	incl



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(Driver's Side) - Side Scene (Passenger's Side) - Rear Load - Interior Lights -
Kussmaul USB -

85. Console Layout: 6-Slot Console	\$	incl
86. Floor in Front of Console: (2) Survivor Flashlights wired Battery Hot	\$	700.00
87. Rear of Console: Double Mapholder	\$	375.00
88. Chassis Rear Wall: 4 High Glove Box Holder	\$	275.00
89. Camera System: Voyager 7" Monitor with Back-Up Camera	\$	1,700.00
90. White Back-up Camera	\$	incl
91. Aftermarket Vinyl Seats	\$	850.00
Chassis Interior Subtotal		\$ 4,200.00
Module Interior:		
92. Protek Cushions	\$	incl
93. Blue Interior	\$	incl
94. Powdercoated Aluminum Countertops	\$	incl
95. Medvault w/ Wifi	\$	2,850.00
96. Netting at the Front Corner Area	\$	incl
97. 14 Qt. Engel Fridge	\$	950.00
98. Duplex Outlet on the Front Wall	\$	incl
99. Front I/O with Lexan Doors	\$	incl
100. 3 High "D" Cylinder Holder in the Front I/O Facing the Rear Wall	\$	325.00
101. Duplex Outlet in the Cabinet Above the Front I/O	\$	incl
102. Location 1: 4 Switch w/Thermostat	\$	incl
103. Location 2: Single O2 Outlet	\$	incl
104. Location 3: Electric O2 panel with monitor	\$	1,800.00
105. Location 4: Volume Control Knob	\$	incl
106. Location 6: Blank	\$	incl
107. Location 7: Blank	\$	incl
108. Location 8: Quad 120 VAC	\$	incl
109. Location 9: Suction	\$	incl
110. Action Wall Switch Layout : Interior Lights ; Dimmer ; Ventilation Fan ; Electric O2 ;	\$	incl
111. Technimount LP-15 Monitor Mount on the Action Wall Countertop	\$	1,525.00
112. Sharps Container at Action Wall	\$	incl
113. Acrylic Holder at the Action Wall Cabinet	\$	incl



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114. New 6pt Harness at the CPR Seat	\$	525.00
115. Cabinet Aft CPR Seat	\$	950.00
116. Rear Door Switch Layout : Blank ; Blank ; Dump/Bypass (Suspension) ; Rear Load ;	\$	incl
117. Two Seating Positions at the Squad Bench - 1 and 3	\$	incl
118. Acrylic Holder and Sharps at Squad Bench	\$	825.00
119. Harness Type for Seat Position 1: New 6pt Harness	\$	525.00
120. Harness Type for Seat Position 3: New 6pt Harness	\$	525.00
121. Double Squad Bench Cabinet	\$	650.00
122. New Glove Box & Handrail at the Head of the Squad Bench	\$	275.00
123. Trashcan With Lid at the Head of the Squad Bench	\$	incl
124. O2 Outlet at the Squad Bench Wall	\$	incl
125. 3 High Glove Box Low and Sharps Container High on Rear Wall	\$	400.00
126. Head knocker options: With Speakers and Clock	\$	1,000.00
127. O2 Outlet in Ceiling Raceway	\$	325.00
128. IV Hanger on Ceiling Raceway	\$	incl
129. Overhead Grabrails on Both Sides	\$	225.00
130. IV Hanger on Squad Bench Ceiling	\$	incl
131. In-Module Camera at the Rear Position	\$	600.00
132. Floor Options: Customer Provided Stryker Power-LOAD	\$	1,500.00
133. Stryker cot tower only (no antler and bar)	\$	incl
134. Loncoin II Sapphire Floor	\$	incl
135. Captain's Chair Type: Captain's Chair with Child Safety Seat and 4pt. Harness	\$	750.00
136. Customer Provided Items Processing Fee	\$	275.00
Module Interior Subtotal		\$ 16,800.00

All new Frazer EMS Vehicles come standard with the following features:

- 120V generator-powered electrical system independent of the chassis electrical
- 120V self-contained module heater & proprietary best-in-class air conditioner
- Easily accessible electrical compartment located on exterior of vehicle
- All aluminum module construction - No wood products!
- Shear-plate method of attachment securing the module to the chassis
- All aluminum powder-coated 12" deep interior cabinetry
- Seamless cushions



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All LED emergency warning and scene lighting

All LED interior ceiling lights

120VAC outlets conveniently located throughout unit

Three oxygen outlets

Action area with hinged service access panel to back of oxygen outlets and switches

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2019-481014

Date Filed:
04/24/2019

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

STERLING MCCALL FORD
HOUSTON, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

FRIENDSWOOD VFD EMS

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

E-3288
AMBULANCE

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



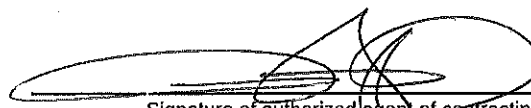
6 UNSWORN DECLARATION

My name is PABLO CANTU, and my date of birth is 10-09-1970.

My address is 6445 SOUTHWEST FREEWAY HOUSTON TX 77074 USA.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)


Signature of authorized agent of contracting business entity
(Declarant)



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: 5/6/2019

Date Submitted: 4/23/2019

Dept. Clearances: Rene' Ibarra

Prepared by: George L. Cherepes

Subject: West Ranch Friendswood Lakes Boulevard – Request to authorize acceptance of Paving and Utility improvements at completion of one-year maintenance period

Originating Department: Public Works

City Attorney Review: N/A

Proceeding: Consent Agenda

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: N/A

Amount Budgeted: N/A

Appropriation Required: N/A

Source of Funds: N/A

FINANCE APPROVAL: N/A

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

In accordance with the City of Friendswood's Final Acceptance Process for City Infrastructure, City Staff has confirmed that the required infrastructure to serve West Ranch Development's portion of Friendswood Lakes Boulevard has been executed in accordance with the approved plans. The required one-year maintenance period for the respective punch list items have been completed. The designated contractor (Jaho Construction), and the developer (Friendswood Development), have fulfilled all necessary obligations required for proposed acceptance following their one year of required maintenance obligations.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

City acceptance of maintenance for the improvements and release of the contractor's bond will transfer liability for maintenance from the contractor to the City of Friendswood Public Works Department.

RECOMMENDATIONS

Staff recommends that City Council formally authorize acceptance of this portion of Friendswood Lakes Boulevard, and release the maintenance bond with the designated contractor (Jaho Construction).

ATTACHMENTS

[One Year Maintenance Bond Acceptance](#)
[Release of Bond](#)



City of Friendswood

Department of Public Works

**15355 Blackhawk Boulevard
Friendswood, Texas 77546-2801**

DOCUMENT 00815

Certificate of One-Year Maintenance Acceptance

PROJECT NAME: Friendswood Lakes Boulevard
PROJECT NUMBER: SD2017-04

On January 30, 2019 the Engineering Division of Public Works received notification that the Contractor wished to declare the One-Year Maintenance Period of the Work on the above referenced project was coming to completion. A site visit was requested to inspect the Work for release of the One-Year Maintenance Bond.

A site visit was carried out on February 11, 2019 by the City to ascertain the compliance of the Work with the Contract for Substantial Completion. During that site visit, a punch list of incomplete or non-conforming work was identified and agreed to by the City and the Jaho Construction. All work is declared Acceptable and the One-year Maintenance Period is complete and accepted by the City Council on May 6, 2019.

This Certificate acknowledges that the Contractor has fulfilled all of the requirements of the Contract with the City of Friendswood and both the City and the Contractor considers this Contract complete. It dissolves any claim from either the Contractor or the City pertaining to any part of this Contract, except for Manufacturer's Warranties that extend past the One-Year Maintenance Period in which any problems will be dealt with between the City and the Manufacturer.

George L. Cherepes, CFM
Projects Coordinator

Date

END OF DOCUMENT

00815-1



City of Friendswood

Department of Public Works

**15355 Blackhawk Boulevard
Friendswood, Texas 77546-2801**

DOCUMENT 00825

Release of Bond

PROJECT NAME: Friendswood Lakes Boulevard

PROJECT NUMBER: SD2017-04

TO: Jaho Construction
2003 Wilson Road
Humble, TX 77396

The Contractor and the Surety having complied with the provisions of the General Conditions, and all work is in accordance with the Contract Documents at the end of the One-Year Maintenance Period and renders this obligation null and void, and releases the One-Year Maintenance Bond, Bond Number MNT923383 from Colonial American Casualty and Insurance Company, 1400 American Lane, Tower I 18th Floor, Schaumburg, IL 60196, which is enclosed.

George L. Cherepes
Projects Coordinator

Date

Copy: Colonial American Casualty and Insurance Company

END OF DOCUMENT



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: May 6, 2019

Date Submitted: April 25, 2019

Dept. Clearances: Rene Ibarra

Prepared by: George L. Cherepes

Originating Department: PW

Subject: Industry Park of Friendswood – Request to authorize acceptance of public waterline infrastructure improvements

Proceeding: Consent Agenda

City Attorney Review: N/A

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: N/A

Amount Budgeted: N/A

Appropriation Required: N/A

Source of Funds: N/A

FINANCE APPROVAL: N/A

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

In accordance with the City of Friendswood's Final Acceptance Process for City Infrastructure, City Staff has confirmed that the required waterline to serve Industry Park of Friendswood has been executed in accordance with approved plans. The designated contractor (SER Construction Partners, LLC), and the developer (Coastal Bend Development), have fulfilled all necessary obligations required for proposed acceptance.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Acceptance of the improvements will provide immediate access for construction of commercial property at Industry Park of Friendswood.

RECOMMENDATIONS

Staff recommends that City Council formally authorize acceptance of Industry Park of Friendswood - waterline, and begin the required one-year maintenance period with the designated contractor (SER Construction Partners, LLC).

ATTACHMENTS

[Maintenance Bond SER Construction Partners](#)

WHEREAS, on or about the _____ day of _____,

SER Construction Partners, LLC

, as Contractor, entered into a written agreement with

Coastal Bend Property Development, LP

, as Owner, for the construction of

for Water Distribution System and Paving Items for Industry Park Friendswood - Phase I Paving & Utility Improvements, Coastal Bend Property Development, LP, Friendswood, Texas, and

herein referred to as the Contract, and

WHEREAS, the Contractor, as Principal, and Hartford Fire Insurance Company, as Surety, made, executed and delivered to said Owner, as Obligee, their joint and several

Bond, for Water Distribution System and Paving Items for Industry Park Friendswood - Phase I Paving & Utility Improvements, Coastal Bend Property Development, LP, Friendswood, Texas, and

WHEREAS, the Owner, as Obligee, has requested that

City of Friendswood

, having a material interest in the performance of said contract, be added as an Obligee in said Bond and has requested the Principal and the Surety to join with the Owner, as Obligee, in the execution and delivery of this Rider and the Principal and Surety have agreed so to do upon the conditions herein stated.

NOW, THEREFORE, in consideration of the premium charged for said Bond and other good and valuable consideration, receipt of which is hereby acknowledged, the undersigned hereby agree as follows:

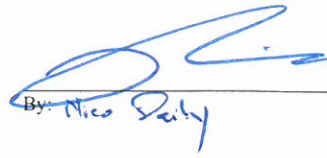
1. That, City of Friendswood is hereby added to said Bond as a named Obligee.
2. That, the rights of the Obligees are and shall be subject to the condition precedent that all the Owner's obligations to the Principal under said contract be performed by or on behalf of the Owner; provided, however, that the aggregate liability of the Surety under said Bond to the Obligees, as their interests may appear, is limited to the penal sum of the Bond and provided, further, that the Surety may, at its option, make any payments under said Bond jointly to the Obligees; and further provided there shall be no liability under the Bond to the Obligees, jointly or severally, unless payment be made to the Principal at the time and in the manner provided in the contract.
3. Except as herein modified, said Bond shall be and remain in full force and effect.

SIGNED, SEALED AND DATED this _____ day of _____,

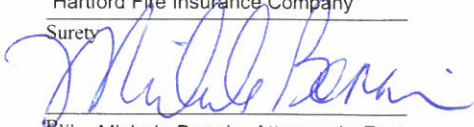
Coastal Bend Property Development, LP
Owner

SER Construction Partners, LLC
Contractor

By: _____

By: 
Nico Dally

Hartford Fire Insurance Company
Surety

By: 
Michele Bonnin, Attorney-In-Fact

MAINTENANCE BOND

STATE OF TEXAS Contract Date _____

COUNTY OF GALVESTON Date Bond Executed _____

PRINCIPAL SER Construction Partners, LLC

SURETY Hartford Fire Insurance Company

OWNER COASTAL BEND PROPERTY DEVELOPMENT, L.P.

CO-OBLIGEE CITY OF FRIENDSWOOD

PENAL SUM OF BOND (in words and figures) Three Hundred Sixty-Six Thousand Four Hundred Thirty-Nine Dollars and Zero Cents (\$366,439.00)

being approximately 68 percent of the Contract Price and being 100 percent of the Water Distribution System and Paving Items.

CONTRACT for INDUSTRY PARK FRIENDSWOOD – PHASE I PAVING & UTILITY IMPROVEMENTS COASTAL BEND PROPERTY DEVELOPMENT, LP, Friendswood, Texas (the "Contract").

KNOW ALL PERSONS BY THESE PRESENTS, that we, Principal and Surety above named, are held and firmly bound unto Owner, its successors and assigns, in the penal sum of the amount stated above, for the payment of which sum well and truly to be made, we bind ourselves and our respective heirs, executors, administrators, officers, directors, shareholders, partners, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal entered into that certain Contract with Owner, dated the same date as this bond, which Contract is expressly incorporated herein for all purposes.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH, that if Principal well and truly repair any and all defects in the work occasioned by or resulting from defects in materials furnished by, or workmanship of, the Principal in performing the work covered by the Contract, including any guaranty or warranty required under the Contract, then this obligation is void; otherwise it is to remain in full force and effect. Should the Principal fail to well and truly repair any and all defects in the work occasioned by or resulting from defects in materials furnished by, or workmanship of, the Principal in performing the work as required by the Contract in all its terms, the Surety will be liable for all damages, losses, expenses and liabilities that the Owner may suffer in consequence thereof.

The parties intend this maintenance bond to be a common law bond to be constructed in accordance with Texas law.

Surety hereby agrees, for value received, that no change, extension of time, alteration or addition to the terms of the Contract or to work performed under the Contract, or to the plans, specifications or drawings accompanying the Contract, will in any way affect its obligations on this

bond and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the work to be performed thereunder.

The bound parties have executed this instrument pursuant to authority of their respective governing body, to be effective on the same date of the Contract.

SER Construction Partners, LLC

ATTEST

PRINCIPAL

By _____

By _____

Name Rosbel E. Ramos

Name _____

Title President

Title _____

Address 3636 Pasadena Boulevard

Pasadena, Texas 77503

(SEAL)

Hartford Fire Insurance Company

ATTEST

SURETY

By 

By 

Name Michele Bonnin

Name Jillian O'Neal

Title Attorney-In-Fact

Title Account Manager

(SEAL)

Physical Address:

3000 Internet Boulevard

Suite 600

Frisco, Texas 75034

Mailing Address:

3000 Internet Boulevard

Suite 600

Frisco, Texas 75034

Telephone: (469) 287-0246

Local Recording Agent Personal Identification Number:

1220468

Agency Name: Technical Assurance, L.L.C.

Agency Address 26623 Oak Ridge Drive, The Woodlands, TX 77380

Agency Telephone (281) 296-9997

Surety must attach its original Power of Attorney to this bond.

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the secretary of the corporation named as Principal in the Bond; that _____, who signed the bond on behalf of Principal, was then _____ of the corporation; that I know his or her signature, and his or her signature is genuine; and that the Bond was duly signed for and on behalf of the corporation by authority of its governing body.

(Corporate Seal)

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-12

One Hartford Plaza

Hartford, Connecticut 06155

Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: TECHNICAL ASSURANCE LLC

Agency Code: 46-508152

- | | |
|-------------------------------------|--|
| ☒ | Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut |
| ☒ | Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana |
| ☐ | Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut |
| ☐ | Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut |
| ☐ | Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana |
| ☐ | Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois |
| ☐ | Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana |
| ☐ | Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida |

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of Unlimited** :

Edward Arens, Philip Baker, Michele Bonnin, Erica Anne Cox, Rebecca Garza, Jillian McKenzie of THE WOODLANDS, Texas

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2015 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



John Gray

John Gray, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT

COUNTY OF HARTFORD

ss. Hartford

On this 5th day of January, 2018, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Kathleen T. Maynard

Kathleen T. Maynard
Notary Public

My Commission Expires July 31, 2021

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of
Signed and sealed at the City of Hartford.



Kevin Heckman

Kevin Heckman, Assistant Vice President

IMPORTANT NOTICE

To obtain information or make a complaint:

You may contact your Agent.

You may call The Hartford's Consumer Affairs toll-free telephone number for information or to make a complaint at:

1-800-451-6944

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights, or complaints at:

1-800-252-3439

You may write the Texas Department of Insurance:

P.O. Box 149104

Austin, TX 78714-9104

Fax: (512) 490-1007

Web: www.tdi.texas.gov

E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact the (agent) (company) (agent or the company) first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

AVISO IMPORTANTE

Para obtener información o para presentar una queja:

Usted puede comunicarse con su Agente.

Usted puede llamar al número de teléfono gratuito de The Hartford's Consumer Affairs para obtener información o para presentar una queja al:

1-800-451-6944

Usted puede comunicarse con el Departamento de Seguros de Texas para obtener información sobre compañías, coberturas, derechos, o quejas al:

1-800-252-3439

Usted puede escribir al Departamento de Seguros de Texas a:

P.O. Box 149104

Austin, TX 78714-9104

Fax: (512) 490-1007

Sitio web: www.tdi.texas.gov

E-mail: ConsumerProtection@tdi.texas.gov

DISPUTAS POR PRIMAS DE SEGUROS O RECLAMACIONES:

Si tiene una disputa relacionada con su prima de seguro o con una reclamación, usted debe comunicarse con (el agente) (la compañía) (el agente o la compañía) primero. Si la disputa no es resuelta, usted puede comunicarse con el Departamento de Seguros de Texas.

ADJUNTE ESTE AVISO A SU PÓLIZA: Este aviso es solamente para propósitos informativos y no se convierte en parte o en condición del documento adjunto.



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: 5/6/2019

Date Submitted: 4/26/2019

Dept. Clearances: Rene' Ibarra

Prepared by: Rene' Ibarra

Subject: Application / Agreement to approve providing City water and sewer to location outside of city limits

Originating Department: Public Works

City Attorney Review: MKF

Proceeding: Consent Agenda

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: N/A

Amount Budgeted: N/A

Appropriation Required: N/A

Source of Funds: N/A

FINANCE APPROVAL: N/A

SR

Steven Rhea
Assistant City Manager

SUMMARY / ORIGINATING CAUSE

The Friendswood Columbus Club (FCC) (a non for profit organization) is aiming to construct a new location just outside the city limits at 18625 CR 548 (Baker Rd.), and is requesting to obtain water and sewer services from the City of Friendswood.

The FCC will be responsible for extending the water and sewer lines to their proposed property site location, purchasing the required water meter, and paying the applicable rates (as outlined within the City Ordinance for a non for profit organization). They have provided preliminary plans for review, and are in the process of providing their recently approved plans through their required applicable entity. They have been made aware of the required inspections from the City of Friendswood Public Works Department for the proposed connections onto our public systems, and extensions through our public right of way.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

In observance of the direct proximity to our city limit line, and proposed minimal impact onto the capacities of our public utility systems, there is no imminent consequence to the City.

RECOMMENDATIONS

Staff recommends that City Council formally authorize and approve acceptance of the attached agreement, for the City of Friendswood to provide utilities to the Friendswood Columbus Club.

ATTACHMENTS

[Non Resident Water and Sanitary Sewer Supply Agreement Application for Utilities Outside City Limits](#)
[City of Friendswood Confirmation Letter](#)
[Brazoria County Confirmation Letter](#)

**WATER AND SANITARY SEWER SUPPLY AGREEMENT
WITH THE CITY OF FRIENDSWOOD, TEXAS**

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

I, Don Dyer (the "Customer"), a non-resident of the City of Friendswood (the "City"), an applicant for water and sewer service from the City to the property located at 18625 CR 548 Baker Rd. (the "Property") hereby understand and agree to the following terms and conditions of provision of such water and sewer service:

Water Supply

1. Water System. The Customer agrees to construct and maintain facilities sufficient to distribute the water delivered hereunder by the City to the Property from a Point of Delivery. The Point of Delivery shall be at the point of the flow meter. All of the Customer's facilities, including new construction, shall be subject to approval by the City's Engineer, who shall have the right to inspection of construction. The Customer shall acquire and have installed, at its sole expense, a flow meter at the Point of Delivery adequate to measure the flow of water supplied by the City to the Property. Such meter shall be owned, operated, and maintained by the City. The customer shall acquire and have installed, at its sole expense, a back-flow preventer, to be installed next to the flow meter.

2. Title to and Responsibility for Water. Title to, possession and control of water shall remain in the City to the Point of Delivery, at which point title to, possession and control of water shall pass from the City to the Customer. As between the parties hereto, the City shall be in exclusive control and possession of the water deliverable hereunder and shall be solely responsible therefor until the same shall have been delivered to the Customer at the Point of Delivery, after which delivery the Customer shall be in exclusive possession thereof and shall be solely responsible therefor.

3. Capacity Contingency. Customer acknowledges that City has no legal duty to provide water and sewer services to Customer. Customer acknowledges that City is doing so as a courtesy to the Customer and to generally improve health and sanitation in an area close in proximity to the City limits, and to benefit from economies of scale of cost of service. **THE CITY'S OBLIGATIONS TO SUPPLY POTABLE WATER AND SANITARY SEWER SERVICES AS PROVIDED HEREUNDER ARE STRICTLY CONTINGENT UPON IT HAVING AVAILABLE CAPACITY IN ITS POTABLE WATER AND SANITARY SEWER SYSTEM TO SERVE THE CUSTOMER WITHOUT RESULTING IN THE CITY'S INABILITY TO PROVIDE THE SAME SERVICES TO ITS RESIDENT CUSTOMERS.** The City will periodically evaluate its available capacity and its current and projected needs and will notify the Customer of any anticipated inability to serve the Customer as provided herein. Upon the City's determination, in its sole discretion, that it lacks the capacity to continue potable water and sanitary sewer service to the Customer, it will notify the

Customer as specified herein, and will terminate provision of the potable water and sanitary sewer services one hundred, eighty (180) days following the date of said notice. City's determination shall be based on the following:

- a. Water- Capacity exceeds 75% of 12 MGD surface water capacity (= exceeds 9 MGD average over three (3) months).
- b. Sewer- Capacity exceeds 75% of 4.87 MGD sewer capacity (= exceeds 3.65 MGD average over three (3) months).

Additionally, City reserves the right to revoke and cancel service for good reason or no reason, provided City gives Customer a minimum of 180 days advance notice.

4. Price. The Customer agrees to pay the City a fee for the water and sanitary sewer services delivered as the same is measured by the meter installed pursuant to paragraph 1 hereof. The price to be paid by the Customer for the water and sanitary sewer services shall be as established from time to time by the City Council of City. A schedule of the rates presently charged by the City is attached hereto and made a part hereof as Exhibit "A". The City reserves the right to adjust the rates to customers within the City from time to time, which will result in a change in the rates charged to the Customer.

5. Billings and Payments. Customer agrees to remit payments in accordance with policies and procedures established by City for customers of its water and sewer service system.

6. Responsibility for Payment. The Customer shall be responsible for all bills due for services provided by the City under this Agreement.

7. Extension of Service. The water and sanitary sewer service provided for under this Agreement shall be utilized only by the Property as defined herein as it exists at the time of this agreement. If such service is desired by or for developments located other than on the Property or for any significant expansion of the Property, any such extension of service must be the subject of a separate agreement between the City and the requesting entity. Any such extension shall be only done with the consent of the City and at the sole expense of the Customer.

8. Uniform Treatment. All out-of-City customers will be served and billed on a uniform and equal basis; however, the City reserves the right to establish reasonable categories among its customers and to fix uniform rates within each category.

9. Force Majeure. If the City is rendered unable, wholly or in part, by force majeure to carry out any of its obligations under this Agreement, then the obligations of the City to the extent affected by such force majeure and to the extent that due diligence is being used to resume performance at the earliest practicable time, shall be suspended during the continuance of any inability so caused to the extent provided but for no longer period. Such cause, as far as possible, shall be remedied with all reasonable diligence. The term "force majeure," as used herein, shall include acts of God, strikes, lockouts, or other industrial disturbances, acts of public enemy, orders of any kind of the government of the United States or the State of Texas or any

civil or military authority, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines or canals which are not within the control of the City, which the City could not have avoided by the exercise of due diligence and care. It is understood and agreed that the settlement of strikes and lockouts shall be entirely within the discretion of the City, and that the above requirements that any force majeure shall be remedied with all reasonable dispatch shall not require the settlement of strikes and lockouts by acceding to the demand of the opposing party or parties when such settlement is unfavorable to it in the judgment of the City.

10. Severability. The provisions of this Agreement are severable, and if any provision or part of this Agreement or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provision or part of this Agreement to other persons or circumstances shall not be affected thereby.

11. Law Governing. This Agreement shall be governed by, construed, and interpreted in accordance with the laws of the State of Texas. Exclusive venue over any case or controversy arising under this Agreement shall be vested in any court of competent jurisdiction located in Galveston County, Texas.

12. Modification. This Agreement shall be subject to change or modification only with the mutual written consent of the Customer and the City Council.

13. Assignability. This Agreement shall not be assignable by the Customer without the prior written consent of the City Manager of the City. The City will not consider any assignment of this Agreement unless the proposed assignee holds or will hold legal or equitable title to the Property.

14. Term. The term of this Agreement shall be indefinite, subject to termination by City as provided in Section 3 above.

AGREED:

Ron Dyer
Customer Signature

4/25/19
Date

Customer Name: Ron Dyer - President of Friendswood Columbus Club
Customer Address: 18625 CR 548 Baker Rd.
Pearland, Tx. 77581

APPROVED:

Mike Foreman, Mayor

Date

Exhibit "A"

**City of Friendswood
Water and Sewer Rates**

Water	Minimum	Minimum	Charge per	Charge per	Charge per	Charge per
Effective - 6/1/2016	Gallons	Charge	1,000 after	1,000 after	1,000 after	1,000 after
Irrigation/Sprinkler		Per Meter	Minimum	Minimum	Minimum	Minimum
			0 - 3,000	3,001-10,000	10,001-25,000	25,001+
5/8" meter	3,000	15.50	0.00	4.00	4.25	4.50
1" meter	3,000	21.70	0.00	4.00	4.25	4.50
1 1/2" meter	3,000	27.90	0.00	4.00	4.25	4.50
2" meter	3,000	44.95	0.00	4.00	4.25	4.50
3" meter	3,000	44.95	0.00	4.00	4.25	4.50
4" meter	3,000	44.95	0.00	4.00	4.25	4.50
6" meter	3,000	44.95	0.00	4.00	4.25	4.50
Outside City	1.5 times inside rate					

Water	Minimum	Minimum	Charge per	Charge per	Charge per	Charge per
Effective - 10/1/2013	Gallons	Charge	1,000 after	1,000 after	1,000 after	1,000 after
Single Family Residential		Per Meter	Minimum	Minimum	Minimum	Minimum
			0 - 3,000	3,001-10,000	10,001-25,000	25,001+
5/8" meter	3,000	15.50	0.00	2.90	3.15	3.40
1" meter	3,000	15.50	0.00	2.90	3.15	3.40
1 1/2" meter	3,000	27.90	0.00	2.90	3.15	3.40
2" meter	3,000	44.95	0.00	2.90	3.15	3.40
3" meter	3,000	44.95	0.00	2.90	3.15	3.40
4" meter	3,000	44.95	0.00	2.90	3.15	3.40
6" meter	3,000	44.95	0.00	2.90	3.15	3.40
Outside City	1.5 times inside rate					

Water	Minimum	Minimum	Charge per
Effective - 10/1/2014	Gallons	Charge	1,000 after
Commercial		Per Meter	Minimum
Multi-Unit (Residential/Commercial)			
5/8" meter	0	15.50	2.90
1" meter	0	21.70	2.90
1 1/2" meter	0	27.90	2.90
2" meter	0	44.95	2.90
3" meter	0	44.95	2.90
4" meter	0	44.95	2.90
6" meter	0	44.95	2.90
Outside City	1.5 times inside rate		

Sewer	Minimum	Minimum	Charge per
Effective - 6/1/2016	Gallons	Charge	1,000 after
Single Family Residential		Per Unit	Minimum
Based on Winter Months Average	0.00	15.00	2.13 No sewer cap
Commercial			
Multi-Unit (Residential/Commercial)			
Based on 100% of Water	0.00	15.00	2.13 No sewer cap
Outside City	1.5 times inside rate		

Sec. 86-4. - Water and sewer service fees for nonresident customers.

(a) The rates for water and sewer system services to be charged to customers located outside the city's corporate limits shall be 1½ times that charged to customers located inside the city's corporate limits. Notwithstanding the foregoing, customers located outside the city's corporate limits shall be billed at the same rates as those charged customers inside the city's corporate limits if:

- (1) Such services are provided pursuant to an interlocal cooperation agreement and the interlocal cooperation agreement does not provide for different rates; or
- (2) Such services are provided pursuant to an agreement entered into prior to the effective date of the ordinance from which this section is derived.

Such out of city customer rates shall be calculated by multiplying the base rates heretofore approved by city council, as set forth in Appendix D to this Code, by 1.5.

(b) The rates charged to nonresident water and sewer customers set forth in subsection (a) of this section shall not apply to entities engaged in nonprofit enterprises as that term is defined in 26 USC 501, as amended, which can demonstrate satisfactory proof of such nonprofit status. Such nonprofit customers will be charged at the standard rate charged to resident water and sewer customers.

(c) The fee schedule approved and adopted in subsection (a) of this section shall apply to all billings for water and sewer service beginning after the July 1, 2002.

(Code 1994, § 78-4; Code 2005, § 86-4; Res. No. R2002-24, §§ 1—3, 7-1-2002)

**WATER AND SANITARY SEWER SUPPLY AGREEMENT
WITH THE CITY OF FRIENDSWOOD, TEXAS**

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

I, Don Dyer (the "Customer"), a non-resident of the City of Friendswood (the "City"), an applicant for water and sewer service from the City to the property located at 18625 CR 548 Baker Rd. (the "Property") hereby understand and agree to the following terms and conditions of provision of such water and sewer service:

Water Supply

1. Water System. The Customer agrees to construct and maintain facilities sufficient to distribute the water delivered hereunder by the City to the Property from a Point of Delivery. The Point of Delivery shall be at the point of the flow meter. All of the Customer's facilities, including new construction, shall be subject to approval by the City's Engineer, who shall have the right to inspection of construction. The Customer shall acquire and have installed, at its sole expense, a flow meter at the Point of Delivery adequate to measure the flow of water supplied by the City to the Property. Such meter shall be owned, operated, and maintained by the City. The customer shall acquire and have installed, at its sole expense, a back-flow preventer, to be installed next to the flow meter.

2. Title to and Responsibility for Water. Title to, possession and control of water shall remain in the City to the Point of Delivery, at which point title to, possession and control of water shall pass from the City to the Customer. As between the parties hereto, the City shall be in exclusive control and possession of the water deliverable hereunder and shall be solely responsible therefor until the same shall have been delivered to the Customer at the Point of Delivery, after which delivery the Customer shall be in exclusive possession thereof and shall be solely responsible therefor.

3. Capacity Contingency. Customer acknowledges that City has no legal duty to provide water and sewer services to Customer. Customer acknowledges that City is doing so as a courtesy to the Customer and to generally improve health and sanitation in an area close in proximity to the City limits, and to benefit from economies of scale of cost of service. **THE CITY'S OBLIGATIONS TO SUPPLY POTABLE WATER AND SANITARY SEWER SERVICES AS PROVIDED HEREUNDER ARE STRICTLY CONTINGENT UPON IT HAVING AVAILABLE CAPACITY IN ITS POTABLE WATER AND SANITARY SEWER SYSTEM TO SERVE THE CUSTOMER WITHOUT RESULTING IN THE CITY'S INABILITY TO PROVIDE THE SAME SERVICES TO ITS RESIDENT CUSTOMERS.** The City will periodically evaluate its available capacity and its current and projected needs and will notify the Customer of any anticipated inability to serve the Customer as provided herein. Upon the City's determination, in its sole discretion, that it lacks the capacity to continue potable water and sanitary sewer service to the Customer, it will notify the

Customer as specified herein, and will terminate provision of the potable water and sanitary sewer services one hundred, eighty (180) days following the date of said notice. City's determination shall be based on the following:

- a. Water- Capacity exceeds 75% of 12 MGD surface water capacity (= exceeds 9 MGD average over three (3) months).
- b. Sewer- Capacity exceeds 75% of 4.87 MGD sewer capacity (= exceeds 3.65 MGD average over three (3) months).

Additionally, City reserves the right to revoke and cancel service for good reason or no reason, provided City gives Customer a minimum of 180 days advance notice.

4. Price. The Customer agrees to pay the City a fee for the water and sanitary sewer services delivered as the same is measured by the meter installed pursuant to paragraph 1 hereof. The price to be paid by the Customer for the water and sanitary sewer services shall be as established from time to time by the City Council of City. A schedule of the rates presently charged by the City is attached hereto and made a part hereof as Exhibit "A". The City reserves the right to adjust the rates to customers within the City from time to time, which will result in a change in the rates charged to the Customer.

5. Billings and Payments. Customer agrees to remit payments in accordance with policies and procedures established by City for customers of its water and sewer service system.

6. Responsibility for Payment. The Customer shall be responsible for all bills due for services provided by the City under this Agreement.

7. Extension of Service. The water and sanitary sewer service provided for under this Agreement shall be utilized only by the Property as defined herein as it exists at the time of this agreement. If such service is desired by or for developments located other than on the Property or for any significant expansion of the Property, any such extension of service must be the subject of a separate agreement between the City and the requesting entity. Any such extension shall be only done with the consent of the City and at the sole expense of the Customer.

8. Uniform Treatment. All out-of-City customers will be served and billed on a uniform and equal basis; however, the City reserves the right to establish reasonable categories among its customers and to fix uniform rates within each category.

9. Force Majeure. If the City is rendered unable, wholly or in part, by force majeure to carry out any of its obligations under this Agreement, then the obligations of the City to the extent affected by such force majeure and to the extent that due diligence is being used to resume performance at the earliest practicable time, shall be suspended during the continuance of any inability so caused to the extent provided but for no longer period. Such cause, as far as possible, shall be remedied with all reasonable diligence. The term "force majeure," as used herein, shall include acts of God, strikes, lockouts, or other industrial disturbances, acts of public enemy, orders of any kind of the government of the United States or the State of Texas or any

civil or military authority, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines or canals which are not within the control of the City, which the City could not have avoided by the exercise of due diligence and care. It is understood and agreed that the settlement of strikes and lockouts shall be entirely within the discretion of the City, and that the above requirements that any force majeure shall be remedied with all reasonable dispatch shall not require the settlement of strikes and lockouts by acceding to the demand of the opposing party or parties when such settlement is unfavorable to it in the judgment of the City.

10. Severability. The provisions of this Agreement are severable, and if any provision or part of this Agreement or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provision or part of this Agreement to other persons or circumstances shall not be affected thereby.

11. Law Governing. This Agreement shall be governed by, construed, and interpreted in accordance with the laws of the State of Texas. Exclusive venue over any case or controversy arising under this Agreement shall be vested in any court of competent jurisdiction located in Galveston County, Texas.

12. Modification. This Agreement shall be subject to change or modification only with the mutual written consent of the Customer and the City Council.

13. Assignability. This Agreement shall not be assignable by the Customer without the prior written consent of the City Manager of the City. The City will not consider any assignment of this Agreement unless the proposed assignee holds or will hold legal or equitable title to the Property.

14. Term. The term of this Agreement shall be indefinite, subject to termination by City as provided in Section 3 above.

AGREED:

Ron Dyer
Customer Signature

4/25/19
Date

Customer Name: Ron Dyer - President of Friendswood Columbus Club
Customer Address: 18625 CR 548 Baker Rd.
Pearland, Tx. 77581

APPROVED:

Mike Foreman, Mayor

Date

Exhibit "A"

**City of Friendswood
Water and Sewer Rates**

Water	Minimum Gallons	Minimum Charge Per Meter	Charge per 1,000 after Minimum	Charge per 1,000 after Minimum	Charge per 1,000 after Minimum	Charge per 1,000 after Minimum
Effective - 6/1/2016						
Irrigation/Sprinkler			0 - 3,000	3,001-10,000	10,001-25,000	25,001+
5/8" meter	3,000	15.50	0.00	4.00	4.25	4.50
1" meter	3,000	21.70	0.00	4.00	4.25	4.50
1 1/2" meter	3,000	27.90	0.00	4.00	4.25	4.50
2" meter	3,000	44.95	0.00	4.00	4.25	4.50
3" meter	3,000	44.95	0.00	4.00	4.25	4.50
4" meter	3,000	44.95	0.00	4.00	4.25	4.50
6" meter	3,000	44.95	0.00	4.00	4.25	4.50
Outside City	1.5 times inside rate					

Water	Minimum Gallons	Minimum Charge Per Meter	Charge per 1,000 after Minimum	Charge per 1,000 after Minimum	Charge per 1,000 after Minimum	Charge per 1,000 after Minimum
Effective - 10/1/2013						
Single Family Residential			0 - 3,000	3,001-10,000	10,001-25,000	25,001+
5/8" meter	3,000	15.50	0.00	2.90	3.15	3.40
1" meter	3,000	15.50	0.00	2.90	3.15	3.40
1 1/2" meter	3,000	27.90	0.00	2.90	3.15	3.40
2" meter	3,000	44.95	0.00	2.90	3.15	3.40
3" meter	3,000	44.95	0.00	2.90	3.15	3.40
4" meter	3,000	44.95	0.00	2.90	3.15	3.40
6" meter	3,000	44.95	0.00	2.90	3.15	3.40
Outside City	1.5 times inside rate					

Water	Minimum Gallons	Minimum Charge Per Meter	Charge per 1,000 after Minimum
Effective - 10/1/2014			
Commercial			
Multi-Unit (Residential/Commercial)			
5/8" meter	0	15.50	2.90
1" meter	0	21.70	2.90
1 1/2" meter	0	27.90	2.90
2" meter	0	44.95	2.90
3" meter	0	44.95	2.90
4" meter	0	44.95	2.90
6" meter	0	44.95	2.90
Outside City	1.5 times inside rate		

Sewer	Minimum Gallons	Minimum Charge Per Unit	Charge per 1,000 after Minimum
Effective - 6/1/2016			
Single Family Residential			
Based on Winter Months Average	0.00	15.00	2.13 No sewer cap
Commercial			
Multi-Unit (Residential/Commercial)			
Based on 100% of Water	0.00	15.00	2.13 No sewer cap
Outside City	1.5 times inside rate		

Sec. 86-4. - Water and sewer service fees for nonresident customers.

(a) The rates for water and sewer system services to be charged to customers located outside the city's corporate limits shall be 1½ times that charged to customers located inside the city's corporate limits. Notwithstanding the foregoing, customers located outside the city's corporate limits shall be billed at the same rates as those charged customers inside the city's corporate limits if:

- (1) Such services are provided pursuant to an interlocal cooperation agreement and the interlocal cooperation agreement does not provide for different rates; or
- (2) Such services are provided pursuant to an agreement entered into prior to the effective date of the ordinance from which this section is derived.

Such out of city customer rates shall be calculated by multiplying the base rates heretofore approved by city council, as set forth in Appendix D to this Code, by 1.5.

(b) The rates charged to nonresident water and sewer customers set forth in subsection (a) of this section shall not apply to entities engaged in nonprofit enterprises as that term is defined in 26 USC 501, as amended, which can demonstrate satisfactory proof of such nonprofit status. Such nonprofit customers will be charged at the standard rate charged to resident water and sewer customers.

(c) The fee schedule approved and adopted in subsection (a) of this section shall apply to all billings for water and sewer service beginning after the July 1, 2002.

(Code 1994, § 78-4; Code 2005, § 86-4; Res. No. R2002-24, §§ 1—3, 7-1-2002)



City of Friendswood

Public Works Department

15355 Blackhawk Blvd.

Friendswood, Texas 77546-2801

April 8, 2019

Friendswood Columbus Club
c/o Ronald Dyer
P.O. Box 1018
Friendswood, TX 77549

Re: Water / Sanitary Sewer Service Availability-Capacity
Address – 18625 CR 548 Baker Rd., Pearland, TX 77581
Legal Description – A0160 B B B & C R R, Tract 1-2 Acres 2.141

Dear Mr. Dyer,

As per our recent discussions, the City of Friendswood received your request with regards to attaining confirmation for available water and sanitary sewer service capacity, for the aforementioned address outlined above. We have reviewed your request and wish to confirm that we currently do have water and sanitary sewer capacity available, that you may tie into, to serve the proposed address outlined above.

As you are fully aware, and being that this property is outside of the City of Friendswood's city limits, it will be required to go through our required "Application for Utility Service Outside of City Limits". Additionally and conjointly, it will be required to enter into a water/sewer supply agreement with the City of Friendswood, and taken before our Mayor / City Council for consideration of consent approval prior to connection onto our public water and sanitary sewer system. Lastly, and also prior to connection onto our public water and sanitary system, it will also be required to go through the required Public Works Department and Community Development Department Permit process for these proposed tie in points within the City right of way and/or onto our public system.

Sincerely,

Rene' Ibarra, CFM
Director of Public Works
City of Friendswood

CC: Morad Kabiri, P.E., City Manager
Steven Rhea, CFM, Assistant City Manager
Katina Hampton, MBA, CGFO, Director of Administrative Services
Aubrey Harbin, LEED AP, Director of Community Development/Planner
Brian Rouane, CFM, Building Official
Nell Mathis, Utility Billing Supervisor



Brazoria County Environmental Health Department
111 E. Locust, Bldg A-29, Suite 270; Angleton, TX 77515
Phone: 979-864-1600 Fax: 979-864-1904
Karen Carroll, BA, RS, DR Director

February 14, 2019

Friendswood Columbus Club
c/o Ronald Dyer
P O Box 1018
Friendswood, TX 77549

RE: Address - 18625 CR 548 Baker Rd, Pearland, TX 77581
Legal Description - A0160 B B B & C R R, TRACT 1-2, ACRES 2.141

Dear Mr. Dyer,

This afternoon you contacted our office regarding the above mentioned property. It is my understanding the Friendswood Columbus Club plans to develop this property. To this end, your organization has scheduled a Pre-Development with Brazoria County officials on 3/21/19 at 10:00 AM.

You specifically asked about the availability of water or sewer services at this site. To answer your inquiry, Brazoria County does not provide water or sewer services at this property.

Please contact me if you have any questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Karen Carroll".

Karen Carroll, Director
Brazoria County Environmental Health
Phone 979.864.1686
Fax 979-864.1904



Cheryl E. Johnson, PCC
Assessor and Collector of Taxes
County of Galveston
722 Moody Avenue, Galveston, Texas 77550
Toll Free (877) 766-2284 Fax: (409) 766-2479
Email: galcotax@co.galveston.tx.us



April 8, 2019

The Governmental Entities of the Galveston County Tax Assessor/Collector's Office:

I, Cheryl E. Johnson, Tax Assessor and Collector of the County of Galveston do solemnly swear that this statement of collections made by me and the disposition thereof during the month of March, 2019 is true and correct.

Under my hand and seal this 8th day of April, 2019.

Cheryl E. Johnson, PCC
Galveston County Tax Assessor/Collector

cc: Randall Rice, County Auditor
Linebarger, Goggan, Blair, & Simpson
Perdue, Brandon, Fielder, Collins, & Mott
Assessment & Collection Partners:

City of Bayou Vista
City of Clear Lake Shores (delinquent)
City of Dickinson
City of Friendswood
City of Galveston
City of Hitchcock
City of Jamaica Beach
City of Kemah
City La Marque
City of League City
City of Santa Fe
City of Texas City
City of Tiki Island
Dickinson Independent School District
Galveston Independent School District
High Island Independent School District
Hitchcock Independent School District
College of the Mainland

Galveston Community College
GC Drainage District No. 1
GC Drainage District No. 2
GC Emergency Services Dist. No. 1
GC Emergency Services Dist. No. 2
GC Fresh Water Supply Dist. No. 6
Bacliff MUD
Bayview MUD
Galveston County MUD No. 12
Galveston County MUD No. 13
San Leon MUD
Tara Glen MUD
GC Navigation District No. 1
WCID No. 1
WCID No. 12
WCID No. 19
Westwood Management District

04/03/2019 11:11:04 3199901
 TC298-D SELECTION: DEPOSIT
 RECEIPT DATE: ALL
 LOCATION: ALL

TAX COLLECTION SYSTEM
 DEPOSIT DISTRIBUTION
 FROM: 03/01/2019 THRU 03/31/2019
 JURISDICTION: 0337 FRIENDWD CITY

PAGE: 33
 INCLUDES AG ROLLBACK

YEAR	FUND	TAX RATE	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	TIF AMOUNT	DISBURSE TOTAL	ATTORNEY	OTHER FEES	REFUND AMOUNT	PAYMENT AMOUNT
2018	M & O	.437173	261,952.18	.00	16,950.13	.00	278,902.31	800.29	.00	.00	279,702.60
	I & S	.095218	57,054.14	.00	3,691.81	.00	60,745.95	.00	.00	.00	60,745.95
	TOTAL	.532391	319,006.32	.00	20,641.94	.00	339,648.26	800.29	.00	.00	340,448.55
2017	M & O	.432349	366.58-	.00	534.83	.00	168.25	537.10	.00	.00	705.35
	I & S	.095000	80.55-	.00	117.53	.00	36.98	.00	.00	.00	36.98
	TOTAL	.527349	447.13-	.00	652.36	.00	205.23	537.10	.00	.00	742.33
2016	M & O	.462000	375.83-	.00	238.49	.00	137.34-	232.25	.00	.00	94.91
	I & S	.084000	68.35-	.00	43.37	.00	24.98-	.00	.00	.00	24.98-
	TOTAL	.546000	444.18-	.00	281.86	.00	162.32-	232.25	.00	.00	69.93
2015	M & O	.497200	62.34	.00	31.18	.00	93.52	21.39	.00	.00	114.91
	I & S	.071500	8.97	.00	4.48	.00	13.45	.00	.00	.00	13.45
	TOTAL	.568700	71.31	.00	35.66	.00	106.97	21.39	.00	.00	128.36
2014	M & O	.530300	56.12	.00	34.79	.00	90.91	20.02	.00	.00	110.93
	I & S	.061100	6.46	.00	4.01	.00	10.47	.00	.00	.00	10.47
	TOTAL	.591400	62.58	.00	38.80	.00	101.38	20.02	.00	.00	121.40
2013	M & O	.530300	34.99	.00	25.90	.00	60.89	13.58	.00	.00	74.47
	I & S	.061100	4.03	.00	2.98	.00	7.01	.00	.00	.00	7.01
	TOTAL	.591400	39.02	.00	28.88	.00	67.90	13.58	.00	.00	81.48
ALL	M & O		261,363.22	.00	17,815.32	.00	279,178.54	1,624.63	.00	.00	280,803.17
ALL	I & S		56,924.70	.00	3,864.18	.00	60,788.88	.00	.00	.00	60,788.88
ALL	TOTAL		318,287.92	.00	21,679.50	.00	339,967.42	1,624.63	.00	.00	341,592.05
DLQ	M & O		588.96-	.00	865.19	.00	276.23	824.34	.00	.00	1,100.57
DLQ	I & S		129.44-	.00	172.37	.00	42.93	.00	.00	.00	42.93
DLQ	TOTAL		718.40-	.00	1,037.56	.00	319.16	824.34	.00	.00	1,143.50
CURR	M & O		261,952.18	.00	16,950.13	.00	278,902.31	800.29	.00	.00	279,702.60
CURR	I & S		57,054.14	.00	3,691.81	.00	60,745.95	.00	.00	.00	60,745.95
CURR	TOTAL		319,006.32	.00	20,641.94	.00	339,648.26	800.29	.00	.00	340,448.55

04/03/2019 11:09:10
TC298-M SELECTION: DEPOSIT

3199901

TAX COLLECTION SYSTEM
DEPOSIT DISTRIBUTION
REVERSALS DETAIL SCHEDULE
FROM: 03/01/2019 THRU 03/31/2019
JURISDICTION: 337 FRIENDWD CITY

PAGE: 100
INCLUDES AG ROLLBACK

YEAR DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY CAUSE /REV	REFUND AMOUNT	PAYMENT AMOUNT CAT
2016 RF190326	10557400000051	201612	166.06-	0.00	0.00	0.00 HK29	166.06	0.00 RF
2016 RF190326	10557400000051	201612	0.00	0.00	0.00	0.00 HK29	166.06-	166.06-RF
2016 RF190326	1200270010022	201612	0.00	0.00	0.00	0.00 HK29	147.42-	147.42-RF
2016 RF190326	1200270010022	201612	147.42-	0.00	0.00	0.00 HK29	147.42	0.00 RF
2016 RF190315	202708	201610	0.00	0.00	0.00	0.00 16S2	136.50-	136.50-RF
2016 RF190315	202708	201610	136.50-	0.00	0.00	0.00 16S2	136.50	0.00 RF
2016 RF190315	202733	201702	472.93-	0.00	33.11-	0.00 16S2	506.04	0.00 RF
2016 RF190315	202733	201702	0.00	0.00	0.00	0.00 16S2	506.04-	506.04-RF
2016 RF190315	704453	201612	260.47-	0.00	0.00	0.00 16S2	260.47	0.00 RF
2016 RF190315	704453	201612	0.00	0.00	0.00	0.00 16S2	260.47-	260.47-RF
2016 RF190315	704453	201612	107.05-	0.00	0.00	0.00 16S2	107.05	0.00 RF
2016 RF190315	704453	201612	0.00	0.00	0.00	0.00 16S2	107.05-	107.05-RF
2016 TOTAL			1,290.43-	0.00	33.11-	0.00	0.00	1,323.54-
2017 RF190326	10500900000038	201712	154.35-	0.00	0.00	0.00 HK18	154.35	0.00 RF
2017 RF190326	10500900000038	201712	0.00	0.00	0.00	0.00 HK18	154.35-	154.35-RF
2017 RF190326	10557400000051	201801	162.91-	0.00	0.00	0.00 HK18	162.91	0.00 RF
2017 RF190326	10557400000051	201801	0.00	0.00	0.00	0.00 HK18	162.91-	162.91-RF
2017 RF190315	168926	201807	131.84-	0.00	0.00	0.00 17S1	131.84	0.00 RF
2017 RF190315	168926	201807	0.00	0.00	0.00	0.00 17S1	131.84-	131.84-RF
2017 RF190315	200989	201712	0.00	0.00	0.00	0.00 17S1	277.14-	277.14-RF
2017 RF190315	200989	201712	277.14-	0.00	0.00	0.00 17S1	277.14	0.00 RF
2017 RF190315	202067	201801	0.00	0.00	0.00	0.00 17S1	131.83-	131.83-RF
2017 RF190315	202067	201801	131.83-	0.00	0.00	0.00 17S1	131.83	0.00 RF
2017 RF190315	202284	201712	131.84-	0.00	0.00	0.00 17S1	131.84	0.00 RF
2017 RF190315	202284	201712	0.00	0.00	0.00	0.00 17S1	131.84-	131.84-RF
2017 RF190315	202708	201710	0.00	0.00	0.00	0.00 17S1	262.64-	262.64-RF
2017 RF190315	202708	201710	262.64-	0.00	0.00	0.00 17S1	262.64	0.00 RF
2017 RF190315	202733	201801	588.62-	0.00	0.00	0.00 17S1	588.62	0.00 RF
2017 RF190315	202733	201801	0.00	0.00	0.00	0.00 17S1	588.62-	588.62-RF
2017 RF190315	306756	201712	434.34-	0.00	0.00	0.00 17S1	434.34	0.00 RF
2017 RF190315	306756	201712	0.00	0.00	0.00	0.00 17S1	434.34-	434.34-RF
2017 RF190315	612693	201712	593.71-	0.00	0.00	0.00 17S1	593.71	0.00 RF
2017 RF190315	612693	201712	0.00	0.00	0.00	0.00 17S1	593.71-	593.71-RF
2017 RF190315	704453	201711	0.00	0.00	0.00	0.00 17S1	305.92-	305.92-RF
2017 RF190315	704453	201711	305.92-	0.00	0.00	0.00 17S1	305.92	0.00 RF

04/03/2019 11:09:10
TC298-M SELECTION: DEPOSIT

3199901

TAX COLLECTION SYSTEM
DEPOSIT DISTRIBUTION
REVERSALS DETAIL SCHEDULE
FROM: 03/01/2019 THRU 03/31/2019
JURISDICTION: 337 FRIENDWD CITY

PAGE: 101
INCLUDES AG ROLLBACK

YEAR DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY CAUSE /REV	REFUND AMOUNT	PAYMENT AMOUNT CAT
2017 TOTAL			3,175.14-	0.00	0.00	0.00	0.00	3,175.14-
2018 RF190327	10223000000012	201811	173.94-	0.00	0.00	0.00 HK07	173.94	0.00 RF
2018 RF190327	10223000000012	201811	0.00	0.00	0.00	0.00 HK07	173.94-	173.94-RF
2018 762032819TR	10350200000001	201811	603.73-	0.00	0.00	0.00 HK07	0.00	603.73-TR
2018 RF190327	10350200000001	201811	133.09-	0.00	0.00	0.00 HK07	133.09	0.00 RF
2018 RF190327	10350200000001	201811	0.00	0.00	0.00	0.00 HK07	133.09-	133.09-RF
2018 RF190327	10500900000038	201812	0.00	0.00	0.00	0.00 HK07	155.83-	155.83-RF
2018 RF190327	10500900000038	201812	155.83-	0.00	0.00	0.00 HK07	155.83	0.00 RF
2018 RF190327	10557400000051	201812	0.00	0.00	0.00	0.00 HK07	142.72-	142.72-RF
2018 RF190327	10557400000051	201812	142.72-	0.00	0.00	0.00 HK07	142.72	0.00 RF
2018 RF190327	10631300000018	201901	159.06-	0.00	0.00	0.00 HK07	159.06	0.00 RF
2018 RF190327	10631300000018	201901	0.00	0.00	0.00	0.00 HK07	159.06-	159.06-RF
2018 762031219TR	168354	201901	110.05-	0.00	0.00	0.00 CERT18TX023	0.00	110.05-TR
2018 RF190315	168926	201901	133.09-	0.00	0.00	0.00 18S4	133.09	0.00 RF
2018 RF190315	168926	201901	0.00	0.00	0.00	0.00 18S4	133.09-	133.09-RF
2018 762032719TR	184382	201812	270.93-	0.00	0.00	0.00 CERT	0.00	270.93-TR
2018 762032719TR	184382	201812	10.00-	0.00	0.00	0.00 CERT	0.00	10.00-TR
2018 832903031219	200319	201903	1,393.53-	0.00	125.42-	0.00 CERT	0.00	1,518.95-TR
2018 RF190315	200612	201812	452.88-	0.00	0.00	0.00 18S4	452.88	0.00 RF
2018 RF190315	200612	201812	0.00	0.00	0.00	0.00 18S4	452.88-	452.88-RF
2018 786030819T	200981	201812	1,410.11-	0.00	0.00	0.00 CERT	0.00	1,410.11-TR
2018 RF190315	200989	201812	0.00	0.00	0.00	0.00 18S4	278.36-	278.36-RF
2018 RF190315	200989	201812	278.36-	0.00	0.00	0.00 18S4	278.36	0.00 RF
2018 RF190315	201188	201901	0.00	0.00	0.00	0.00 18S4	368.86-	368.86-RF
2018 RF190315	201188	201901	368.86-	0.00	0.00	0.00 18S4	368.86	0.00 RF
2018 786030519T	201888	201902	2,913.52-	0.00	51.90-	0.00 CERT	0.00	2,965.42-TR
2018 RF190315	202067	201901	0.00	0.00	0.00	0.00 18S4	133.10-	133.10-RF
2018 RF190315	202067	201901	133.10-	0.00	0.00	0.00 18S4	133.10	0.00 RF
2018 RF190315	202284	201901	0.00	0.00	0.00	0.00 18S4	133.10-	133.10-RF
2018 RF190315	202284	201901	133.10-	0.00	0.00	0.00 18S4	133.10	0.00 RF
2018 RF190315	202312	201901	135.82-	0.00	0.00	0.00 18S4	135.82	0.00 RF
2018 RF190315	202312	201901	0.00	0.00	0.00	0.00 18S4	135.82-	135.82-RF
2018 RF190315	202708	201811	0.00	0.00	0.00	0.00 18S4	133.10-	133.10-RF
2018 RF190315	202708	201811	133.10-	0.00	0.00	0.00 18S4	133.10	0.00 RF
2018 RF190315	202733	201901	0.00	0.00	0.00	0.00 18S4	619.80-	619.80-RF
2018 RF190315	202733	201901	619.80-	0.00	0.00	0.00 18S4	619.80	0.00 RF
2018 786030419T	202751	201901	81.47-	0.00	0.00	0.00 CERT	0.00	81.47-TR
2018 762032019TR	202868	201901	575.25-	0.00	0.00	0.00 CERT	0.00	575.25-TR
2018 762031119TR	218899	201811	59.24-	0.00	0.00	0.00 CERT	0.00	59.24-TR
2018 762031119TR	218899	201811	335.29-	0.00	0.00	0.00 CERT	0.00	335.29-TR
2018 786030119T	219170	201901	45.33-	0.00	0.00	0.00 CERT	0.00	45.33-TR
2018 762032919TR	287769	201902	228.07-	0.00	15.97-	0.00 CERT	0.00	244.04-TR

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TC298-M SELECTION: DEPOSIT

3199901

TAX COLLECTION SYSTEM
DEPOSIT DISTRIBUTION
REVERSALS DETAIL SCHEDULE
FROM: 03/01/2019 THRU 03/31/2019
JURISDICTION: 337 FRIENDWD CITY

PAGE: 102
INCLUDES AG ROLLBACK

YEAR DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY CAUSE /REV	REFUND AMOUNT	PAYMENT AMOUNT CAT
2018 CP190319	292446	201811	1,203.20-	0.00	0.00	0.00 18S2	0.00	1,203.20-TR
2018 RF190315	292607	201811	0.00	0.00	0.00	0.00 18S4	376.09-	376.09-RF
2018 RF190315	292607	201811	376.09-	0.00	0.00	0.00 18S4	376.09	0.00 RF
2018 RF190315	306756	201812	0.00	0.00	0.00	0.00 18S4	430.46-	430.46-RF
2018 RF190315	306756	201812	430.46-	0.00	0.00	0.00 18S4	430.46	0.00 RF
2018 RF190315	351239	201812	385.67-	0.00	0.00	0.00 18S4	385.67	0.00 RF
2018 RF190315	351239	201812	0.00	0.00	0.00	0.00 18S4	385.67-	385.67-RF
2018 RF190315	366084	201812	376.27-	0.00	0.00	0.00 18S4	376.27	0.00 RF
2018 RF190315	366084	201812	0.00	0.00	0.00	0.00 18S4	376.27-	376.27-RF
2018 RF190315	366390	201812	0.00	0.00	0.00	0.00 18S4	133.10-	133.10-RF
2018 RF190315	366390	201812	133.10-	0.00	0.00	0.00 18S4	133.10	0.00 RF
2018 RF190315	394244	201901	648.45-	0.00	0.00	0.00 18S4	648.45	0.00 RF
2018 RF190315	394244	201901	0.00	0.00	0.00	0.00 18S4	648.45-	648.45-RF
2018 RF190329	412063	201811	0.00	0.00	0.00	0.00 CERT	7.99-	7.99-RF
2018 RF190329	412063	201811	7.99-	0.00	0.00	0.00 CERT	7.99	0.00 RF
2018 642757031219	412741	201903	274.81-	0.00	0.00	0.00 CERT	0.00	274.81-TR
2018 RF190315	512106	201812	640.50-	0.00	0.00	0.00 18S4	640.50	0.00 RF
2018 RF190315	512106	201812	0.00	0.00	0.00	0.00 18S4	640.50-	640.50-RF
2018 RF190315	612681	201812	0.00	0.00	0.00	0.00 18S4	726.95-	726.95-RF
2018 RF190315	612681	201812	726.95-	0.00	0.00	0.00 18S4	726.95	0.00 RF
2018 RF190315	612693	201901	692.14-	0.00	0.00	0.00 18S4	692.14	0.00 RF
2018 RF190315	612693	201901	0.00	0.00	0.00	0.00 18S4	692.14-	692.14-RF
2018 762031919TR	612696	201901	666.06-	0.00	0.00	0.00 CERT	0.00	666.06-TR
2018 RF190315	704453	201810	231.91-	0.00	0.00	0.00 18S4	231.91	0.00 RF
2018 RF190315	704453	201810	0.00	0.00	0.00	0.00 18S4	231.91-	231.91-RF
2018 RF190327	H2275066	201901	0.35-	0.00	0.00	0.00 HK07	0.35	0.00 RF
2018 RF190327	H2275066	201901	0.00	0.00	0.00	0.00 HK07	0.35-	0.35-RF
2018 TOTAL			17,983.22-	0.00	193.29-	0.00	0.00	18,176.51-
TOTAL REVERSALS			22,448.79-	0.00	226.40-	0.00	0.00	22,675.19-

TAX COLLECTION SYSTEM
TAX COLLECTOR MONTHLY REPORT
FROM 08/01/2018 TO 03/31/2019

FISCAL START: 08/01/2018 END: 07/31/2019 JURISDICTION: 0337 FRIENDWD CITY

	CERT TAXABLE VALUE	ADJUSTMENTS	ADJ TAX VALUE	TAX RATE	TAX LEVY	PAID ACCTS
CURRENT YEAR	3,292,414,186	163,684,245	3,456,098,431	00.532391	17,979,418.43	15,537
YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE COLL % YTD UNCOLL
2018	17,123,229.32	856,189.11	856,189.11	17,220,720.15	17,220,720.15	758,698.28 95.78 7.99-
2017	166,852.29	10,817.65-	10,817.65-	100,193.63	100,193.63	55,841.01 64.21 0.00
2016	44,211.77	679.04	679.04	15,861.87	15,861.87	29,028.94 35.33 0.00
2015	21,670.94	4,023.38	4,023.38	6,728.12	6,728.12	18,966.20 26.19 0.00
2014	22,349.21	2,336.34	2,336.34	5,405.22	5,405.22	19,280.33 21.90 0.00
2013	17,333.06	1,146.66	1,146.66	3,703.39	3,703.39	14,776.33 20.04 0.00
2012	13,775.53	.00	0.00	1,279.85	1,279.85	12,495.68 9.29 0.00
2011	13,156.57	.00	0.00	1,280.70	1,280.70	11,875.87 9.73 0.00
2010	12,173.22	.00	0.00	1,133.39	1,133.39	11,039.83 9.31 0.00
2009	13,941.29	.00	0.00	1,332.17	1,332.17	12,609.12 9.56 0.00
2008	10,617.22	.00	0.00	1,389.01	1,389.01	9,228.21 13.08 0.00
2007	3,846.68	.00	0.00	1,236.68	1,236.68	2,610.00 32.15 0.00
2006	3,780.84	.00	0.00	987.61	987.61	2,793.23 26.12 0.00
2005	2,416.01	.00	0.00	987.61	987.61	1,428.40 40.88 0.00
2004	650.49	.00	0.00	0.00	0.00	650.49 0.00
2003	647.12	.00	0.00	0.00	0.00	647.12 0.00
2002	924.85	.00	0.00	0.00	0.00	924.85 0.00
2001	941.66	.00	0.00	0.00	0.00	941.66 0.00
2000	996.69	.00	0.00	0.00	0.00	996.69 0.00
1999	481.49	.00	0.00	0.00	0.00	481.49 0.00
1998	551.21	.00	0.00	0.00	0.00	551.21 0.00
1997	0.00	.00	0.00	0.00	0.00	0.00 0.00
****	17,474,547.46	853,556.88	853,556.88	17,362,239.40	17,362,239.40	965,864.94 7.99-

TAX COLLECTION SYSTEM
TAX COLLECTOR MONTHLY REPORT
FROM 03/01/2019 TO 03/31/2019

FISCAL START: 08/01/2018 END: 07/31/2019 JURISDICTION: 0337 FRIENDWD CITY

	CERT TAXABLE VALUE	ADJUSTMENTS	ADJ TAX VALUE	TAX RATE	TAX LEVY	PAID ACCTS
CURRENT YEAR	3,292,414,186	163,684,245	3,456,098,431	00.532391	17,979,418.43	15,537

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
2018	17,123,229.32	8,257.06-	856,189.11	319,006.32	17,220,720.15	758,698.28	95.78	7.99-
2017	166,852.29	1,791.68-	10,817.65-	447.13-	100,193.63	55,841.01	64.21	0.00
2016	44,211.77	427.68-	679.04	444.18-	15,861.87	29,028.94	35.33	0.00
2015	21,670.94	514.02	4,023.38	71.31	6,728.12	18,966.20	26.19	0.00
2014	22,349.21	382.11	2,336.34	62.58	5,405.22	19,280.33	21.90	0.00
2013	17,333.06	.00	1,146.66	39.02	3,703.39	14,776.33	20.04	0.00
2012	13,775.53	.00	0.00	0.00	1,279.85	12,495.68	9.29	0.00
2011	13,156.57	.00	0.00	0.00	1,280.70	11,875.87	9.73	0.00
2010	12,173.22	.00	0.00	0.00	1,133.39	11,039.83	9.31	0.00
2009	13,941.29	.00	0.00	0.00	1,332.17	12,609.12	9.56	0.00
2008	10,617.22	.00	0.00	0.00	1,389.01	9,228.21	13.08	0.00
2007	3,846.68	.00	0.00	0.00	1,236.68	2,610.00	32.15	0.00
2006	3,780.84	.00	0.00	0.00	987.61	2,793.23	26.12	0.00
2005	2,416.01	.00	0.00	0.00	987.61	1,428.40	40.88	0.00
2004	650.49	.00	0.00	0.00	0.00	650.49		0.00
2003	647.12	.00	0.00	0.00	0.00	647.12		0.00
2002	924.85	.00	0.00	0.00	0.00	924.85		0.00
2001	941.66	.00	0.00	0.00	0.00	941.66		0.00
2000	996.69	.00	0.00	0.00	0.00	996.69		0.00
1999	481.49	.00	0.00	0.00	0.00	481.49		0.00
1998	551.21	.00	0.00	0.00	0.00	551.21		0.00
1997	0.00	.00	0.00	0.00	0.00	0.00		0.00
****	17,474,547.46	9,580.29-	853,556.88	318,287.92	17,362,239.40	965,864.94		7.99-

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ALL PROPERTY

TAX COLLECTION SYSTEM
SUPPLEMENTAL / ADJUSTMENT CONTROL TOTALS
FOR TAX YEAR: 2018
JURISDICTION: 0337 FRIENDWD CITY

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INCLUDES AG ROLLBACK

	CERTIFIED ROLL	ROLL AS OF 08/01/2018	SUPPLEMENTALS THIS PERIOD	ADJUSTMENTS THIS PERIOD	NET CHANGE THIS PERIOD	ROLL AS OF 03/31/2019
	-----	-----	-----	-----	-----	-----
LAND VALUE	4,207,374,518	3,589,474,109	71,050,446	231,285-	70,819,161	3,660,293,270
AG EXCLUSION	23,842,910	23,842,910	1,069,544	1,990-	1,067,554	24,910,464
IMPROVEMENTS	617,900,409	617,900,409	180,817,940	1,744,988-	179,072,952	796,973,361
APPRAISED VALUE	4,207,374,518	4,207,374,518	251,868,386	1,976,273-	249,892,113	4,457,266,631
EXEMPTIONS	891,117,422	891,117,422	79,108,304	6,032,010	86,207,868	977,325,290
TAXABLE VALUE	3,292,414,186	3,292,414,186	171,690,538	8,006,293-	163,684,245	3,456,098,431
LEVY	17,123,229.32	17,123,229.32	1,144,487.27	288,298.16-	856,189.11	17,979,418.43
UNCOLLECTIBLE	.00	7.99	.00	.00	.00	7.99
RECEIVABLE					.00	
EXEMPTION COUNTS:						
HOMESTEADS	10,001	10,001	482	28	30	10,031
OVER 65	2,897	2,897	143	34	38	2,935
DISABLED	0	0	2	3	3	3
VETERAN	204	204	16	4-	5-	199
TOTAL EXEMPT	0	0	0	0	0	0

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ALL PROPERTY

TAX COLLECTION SYSTEM
SUPPLEMENTAL / ADJUSTMENT CONTROL TOTALS
FOR TAX YEAR: 2017
JURISDICTION: 0337 FRIENDWD CITY

PAGE: 219
INCLUDES AG ROLLBACK

	CERTIFIED ROLL -----	ROLL AS OF 08/01/2018 -----	SUPPLEMENTALS THIS PERIOD -----	ADJUSTMENTS THIS PERIOD -----	NET CHANGE THIS PERIOD -----	ROLL AS OF 03/31/2019 -----
LAND VALUE	4,271,816,787	3,655,904,976	2,176,969	186,620-	1,990,349	3,657,895,325
AG EXCLUSION	18,989,755	18,989,755	0	1,380-	1,380-	18,988,375
IMPROVEMENTS	615,911,811	615,911,811	219,870	879,958-	660,088-	615,251,723
APPRAISED VALUE	4,271,816,787	4,271,816,787	2,396,839	1,066,578-	1,330,261	4,273,147,048
EXEMPTIONS	988,826,434	988,826,434	2,364,469	1,192,950	3,556,039	992,382,473
TAXABLE VALUE	3,264,000,598	3,264,000,598	32,370	2,258,148-	2,225,778-	3,261,774,820
LEVY	166,852.29	166,852.29	177.28	10,994.93-	10,817.65-	156,034.64
UNCOLLECTIBLE	.00	.00	.00	.00	.00	.00
RECEIVABLE					.00	
EXEMPTION COUNTS:						
HOMESTEADS	10,005	10,005	0	6	6	10,011
OVER 65	2,854	2,854	0	14	14	2,868
DISABLED	0	0	0	2	2	2
VETERAN	207	207	0	0	0	207
TOTAL EXEMPT	647	647	0	0	0	647

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ALL PROPERTY

TAX COLLECTION SYSTEM
SUPPLEMENTAL / ADJUSTMENT CONTROL TOTALS
FOR TAX YEAR: 2016
JURISDICTION: 0337 FRIENDWD CITY

PAGE: 220
INCLUDES AG ROLLBACK

	CERTIFIED ROLL	ROLL AS OF 08/01/2018	SUPPLEMENTALS THIS PERIOD	ADJUSTMENTS THIS PERIOD	NET CHANGE THIS PERIOD	ROLL AS OF 03/31/2019
	-----	-----	-----	-----	-----	-----
LAND VALUE	3,999,127,118	3,429,239,107	1,872,769	730-	1,872,039	3,431,111,146
AG EXCLUSION	13,436,213	13,436,213	0	1,360-	1,360-	13,434,853
IMPROVEMENTS	569,888,011	569,888,011	10,504	107,018-	96,514-	569,791,497
APPRAISED VALUE	3,999,127,118	3,999,127,118	1,883,273	107,748-	1,775,525	4,000,902,643
EXEMPTIONS	968,850,710	968,850,710	1,872,769	86,257-	1,785,152	970,635,862
TAXABLE VALUE	3,016,840,195	3,016,840,195	10,504	20,131-	9,627-	3,016,830,568
LEVY	44,211.77	44,211.77	57.35	621.69	679.04	44,890.81
UNCOLLECTIBLE	.00	.00	.00	.00	.00	.00
RECEIVABLE					.00	
EXEMPTION COUNTS:						
HOMESTEADS	9,913	9,913	0	7-	7-	9,906
OVER 65	2,721	2,721	0	5	5	2,726
DISABLED	0	0	0	1	1	1
VETERAN	242	242	0	0	0	242
TOTAL EXEMPT	642	642	0	0	0	642

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ALL PROPERTY

TAX COLLECTION SYSTEM
SUPPLEMENTAL / ADJUSTMENT CONTROL TOTALS
FOR TAX YEAR: 2015
JURISDICTION: 0337 FRIENDWD CITY

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INCLUDES AG ROLLBACK

	CERTIFIED ROLL	ROLL AS OF 08/01/2018	SUPPLEMENTALS THIS PERIOD	ADJUSTMENTS THIS PERIOD	NET CHANGE THIS PERIOD	ROLL AS OF 03/31/2019
	-----	-----	-----	-----	-----	-----
LAND VALUE	3,624,772,568	3,125,559,710	1,872,729	730-	1,871,999	3,127,431,709
AG EXCLUSION	17,997,504	17,997,504	0	1,340-	1,340-	17,996,164
IMPROVEMENTS	499,212,858	499,212,858	0	0	0	499,212,858
APPRAISED VALUE	3,624,772,568	3,624,772,568	1,872,729	730-	1,871,999	3,626,644,567
EXEMPTIONS	906,250,004	906,250,004	1,872,729	586,325-	1,285,064	907,535,068
TAXABLE VALUE	2,700,525,060	2,700,525,060	0	586,935	586,935	2,701,111,995
LEVY	21,670.94	21,670.94	.00	4,023.38	4,023.38	25,694.32
UNCOLLECTIBLE	.00	.00	.00	.00	.00	.00
RECEIVABLE					.00	
EXEMPTION COUNTS:						
HOMESTEADS	9,425	9,425	0	11-	11-	9,414
OVER 65	2,517	2,517	0	3-	3-	2,514
DISABLED	170	170	0	0	0	170
VETERAN	231	231	0	0	0	231
TOTAL EXEMPT	632	632	0	0	0	632

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ALL PROPERTY

TAX COLLECTION SYSTEM
SUPPLEMENTAL / ADJUSTMENT CONTROL TOTALS
FOR TAX YEAR: 2014
JURISDICTION: 0337 FRIENDWD CITY

PAGE: 222
INCLUDES AG ROLLBACK

	CERTIFIED ROLL	ROLL AS OF 08/01/2018	SUPPLEMENTALS THIS PERIOD	ADJUSTMENTS THIS PERIOD	NET CHANGE THIS PERIOD	ROLL AS OF 03/31/2019
	-----	-----	-----	-----	-----	-----
LAND VALUE	3,220,611,338	2,761,917,896	1,872,729	730-	1,871,999	2,763,789,895
AG EXCLUSION	22,656,763	22,656,763	0	1,320-	1,320-	22,655,443
IMPROVEMENTS	458,693,442	458,693,442	0	0	0	458,693,442
APPRAISED VALUE	3,220,611,338	3,220,611,338	1,872,729	730-	1,871,999	3,222,483,337
EXEMPTIONS	739,118,459	739,118,459	1,872,729	316,766-	1,554,643	740,673,102
TAXABLE VALUE	2,458,836,116	2,458,836,116	0	317,356	317,356	2,459,153,472
LEVY	22,349.21	22,349.21	.00	2,336.34	2,336.34	24,685.55
UNCOLLECTIBLE	.00	.00	.00	.00	.00	.00
RECEIVABLE					.00	
EXEMPTION COUNTS:						
HOMESTEADS	9,648	9,648	0	11-	11-	9,637
OVER 65	2,524	2,524	0	2-	2-	2,522
DISABLED	176	176	0	0	0	176
VETERAN	220	220	0	0	0	220
TOTAL EXEMPT	624	624	0	0	0	624

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ALL PROPERTY

TAX COLLECTION SYSTEM
SUPPLEMENTAL / ADJUSTMENT CONTROL TOTALS
FOR TAX YEAR: 2013
JURISDICTION: 0337 FRIENDWD CITY

PAGE: 223
INCLUDES AG ROLLBACK

	CERTIFIED ROLL	ROLL AS OF 08/01/2018	SUPPLEMENTALS THIS PERIOD	ADJUSTMENTS THIS PERIOD	NET CHANGE THIS PERIOD	ROLL AS OF 03/31/2019
LAND VALUE	3,137,530,828	3,137,530,828	0	0	0	3,137,530,828
AG EXCLUSION	23,290,819	23,290,819	0	0	0	23,290,819
IMPROVEMENTS	0	0	0	0	0	0
APPRAISED VALUE	3,137,530,828	3,137,530,828	0	0	0	3,137,530,828
EXEMPTIONS	704,624,861	704,624,861	0	112,517-	112,517-	704,512,344
TAXABLE VALUE	2,409,615,148	2,409,615,148	0	112,517	112,517	2,409,727,665
LEVY	17,333.06	17,333.06	.00	1,146.66	1,146.66	18,479.72
UNCOLLECTIBLE	.00	.00	.00	.00	.00	.00
RECEIVABLE					.00	
EXEMPTION COUNTS:						
HOMESTEADS	9,611	9,611	0	4-	4-	9,607
OVER 65	2,398	2,398	0	1-	1-	2,397
DISABLED	183	183	0	0	0	183
VETERAN	215	215	0	0	0	215
TOTAL EXEMPT	618	618	0	0	0	618

Summary of Jurisdiction Remittances Processed

Report run on: April 4, 2019 9:17 AM

For Remitted Deposit Dates 03/01/2019 thru 03/31/2019 as of 04/04/2019

Version 1.50

Tax Unit		M & O Total	I & S Total	TIF Levy	TIF Interest	Fee Total	Total
337 FRIENDWD CITY							
ACH 47560	Print Date:03/08/2019						
	Current	42,710.23	9,302.42	0.00	0.00	0.00	\$2,012.65
	Delq	175.60	38.48	0.00	0.00	0.00	214.08
Last Deposit Date	03/01/2019	\$42,885.83	\$9,340.90	\$0.00	\$0.00	\$0.00	\$52,226.73
ACH 47600	Print Date:03/08/2019						
	Current	49,464.63	10,773.65	0.00	0.00	0.00	60,238.28
	Delq	2,311.06	484.71	0.00	0.00	0.00	2,795.77
Last Deposit Date	03/04/2019	\$51,775.69	\$11,258.36	\$0.00	\$0.00	\$0.00	\$63,034.05
ACH 47640	Print Date:03/11/2019						
	Current	9,533.28	2,076.36	0.00	0.00	0.00	11,609.64
	Delq	99.55	21.88	0.00	0.00	0.00	121.43
Last Deposit Date	03/05/2019	\$9,632.83	\$2,098.24	\$0.00	\$0.00	\$0.00	\$11,731.07
ACH 47679	Print Date:03/11/2019						
	Current	53,724.61	11,701.39	0.00	0.00	0.00	65,426.00
	Delq	102.88	20.08	0.00	0.00	0.00	122.96
Last Deposit Date	03/06/2019	\$53,827.49	\$11,721.47	\$0.00	\$0.00	\$0.00	\$65,548.96
ACH 47719	Print Date:03/11/2019						
	Current	22,437.41	4,886.94	0.00	0.00	0.00	27,324.35
	Delq	6.73	1.48	0.00	0.00	0.00	8.21
Last Deposit Date	03/07/2019	\$22,444.14	\$4,888.42	\$0.00	\$0.00	\$0.00	\$27,332.56
ACH 47760	Print Date:03/11/2019						
	Current	9,480.48	2,064.87	0.00	0.00	0.00	11,545.35
	Delq	43.88	9.64	0.00	0.00	0.00	53.52
Last Deposit Date	03/08/2019	\$9,524.36	\$2,074.51	\$0.00	\$0.00	\$0.00	\$11,598.87
ACH 47798	Print Date:03/12/2019						
	Current	4,163.48	906.83	0.00	0.00	0.00	5,070.31
Last Deposit Date	03/11/2019	\$4,163.48	\$906.83	\$0.00	\$0.00	\$0.00	\$5,070.31
ACH 47837	Print Date:03/13/2019						
	Current	11,712.17	2,550.94	0.00	0.00	0.00	14,263.11
	Delq	77.15	14.02	0.00	0.00	0.00	91.17
Last Deposit Date	03/12/2019	\$11,789.32	\$2,564.96	\$0.00	\$0.00	\$0.00	\$14,354.28
ACH 47878	Print Date:03/15/2019						
	Current	2,479.70	540.10	0.00	0.00	0.00	3,019.80
Last Deposit Date	03/13/2019	\$2,479.70	\$540.10	\$0.00	\$0.00	\$0.00	\$3,019.80
ACH 47917	Print Date:03/18/2019						
	Current	3,392.84	738.96	0.00	0.00	0.00	4,131.80
	Delq	325.34	51.97	0.00	0.00	0.00	377.31
Last Deposit Date	03/14/2019	\$3,718.18	\$790.93	\$0.00	\$0.00	\$0.00	\$4,509.11
ACH 47998	Print Date:03/21/2019						
	Current	8,842.27	1,925.91	0.00	0.00	0.00	10,768.18
	Delq	(3,153.36)	(660.48)	0.00	0.00	0.00	(3,813.84)
Last Deposit Date	03/19/2019	\$5,688.91	\$1,265.43	\$0.00	\$0.00	\$0.00	\$6,954.34

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Summary of Jurisdiction Remittances Processed

Report run on: April 4, 2019 9:17 AM

For Remitted Deposit Dates 03/01/2019 thru 03/31/2019 as of 04/04/2019

Version 1.50

Tax Unit		M & O Total	I & S Total	TIF Levy	TIF Interest	Fee Total	Total
337 FRIENDWD CITY							
ACH 48037	Print Date:03/21/2019						
	Current	4,749.22	1,034.37	0.00	0.00	0.00	5,783.59
	Last Deposit Date 03/20/2019	\$4,749.22	\$1,034.37	\$0.00	\$0.00	\$0.00	\$5,783.59
ACH 48075	Print Date:03/22/2019						
	Current	8,698.18	1,894.48	0.00	0.00	0.00	10,592.66
	Last Deposit Date 03/21/2019	\$8,698.18	\$1,894.48	\$0.00	\$0.00	\$0.00	\$10,592.66
ACH 48111	Print Date:03/25/2019						
	Current	15,449.69	3,365.01	0.00	0.00	0.00	18,814.70
	Delq	121.40	22.68	0.00	0.00	0.00	144.08
	Last Deposit Date 03/22/2019	\$15,571.09	\$3,387.69	\$0.00	\$0.00	\$0.00	\$18,958.78
ACH 48151	Print Date:03/27/2019						
	Current	5,151.32	1,121.99	0.00	0.00	0.00	6,273.31
	Last Deposit Date 03/25/2019	\$5,151.32	\$1,121.99	\$0.00	\$0.00	\$0.00	\$6,273.31
ACH 48192	Print Date:03/28/2019						
	Current	3,528.98	768.63	0.00	0.00	0.00	4,297.61
	Delq	(511.21)	(102.82)	0.00	0.00	0.00	(614.03)
	Last Deposit Date 03/26/2019	\$3,017.77	\$665.81	\$0.00	\$0.00	\$0.00	\$3,683.58
ACH 48234	Print Date:03/29/2019						
	Current	6,413.02	1,396.81	0.00	0.00	0.00	7,809.83
	Last Deposit Date 03/27/2019	\$6,413.02	\$1,396.81	\$0.00	\$0.00	\$0.00	\$7,809.83
ACH 48270	Print Date:04/02/2019						
	Current	8,143.89	1,773.79	0.00	0.00	0.00	9,917.68
	Delq	30.33	5.52	0.00	0.00	0.00	35.85
	Last Deposit Date 03/28/2019	\$8,174.22	\$1,779.31	\$0.00	\$0.00	\$0.00	\$9,953.53
ACH 48310	Print Date:04/04/2019						
	Current	8,826.91	1,922.50	0.00	0.00	0.00	10,749.41
	Delq	646.88	135.77	0.00	0.00	0.00	782.65
	Last Deposit Date 03/29/2019	\$9,473.79	\$2,058.27	\$0.00	\$0.00	\$0.00	\$11,532.06
	Total:	\$279,178.54	\$60,788.88	\$0.00	\$0.00	\$0.00	\$339,967.42



FRIENDSWOOD CITY COUNCIL AGENDA ITEM FORM

This form should be completed and forwarded to the City Manager's Office as soon as possible prior to the first date that the item is expected to be placed on the Friendswood City Council agenda.

Date requested for City Council consideration: 05/06/19

Date Submitted: 04/17/19

Dept. Clearances: Melinda Welsh

Prepared by: Heather Van Dine

Subject: Approve Council Meeting Minutes

Originating Department: City Secretary

Proceeding: Consent Agenda

Degree of importance: Critical ☐ Significant ☒ Elective ☐

Expenditure Required: N/A

Amount Budgeted: N/A

Appropriation Required: N/A

Source of Funds: N/A

FINANCE APPROVAL: N/A

MK

Morad Kabiri
City Manager

SUMMARY / ORIGINATING CAUSE

The Council Meeting minutes of April 01, 2019, are submitted for Council's review and consideration.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Approval of the Council Meeting minutes provides a historical document of actions taken by City Council as provided for in the Local Government Code and in the City Charter.

RECOMMENDATIONS

City Secretary recommends that Council approve the Council meeting minutes as presented.

ATTACHMENTS

[04-01-19 Minutes](#)

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STATE OF TEXAS)(
CITY OF FRIENDSWOOD)(
COUNTIES OF GALVESTON/HARRIS)(
APRIL 01, 2019)(
)

MINUTES OF A REGULAR MEETING OF THE FRIENDSWOOD CITY COUNCIL THAT WAS HELD ON MONDAY, **APRIL 01, 2019**, AT 4:30 PM AT FRIENDSWOOD CITY HALL COUNCIL CHAMBERS, 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS, WITH THE FOLLOWING PRESENT CONSTITUTING A QUORUM:

MAYOR
MAYOR PRO-TEM
COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER
CITY ATTORNEY
CITY MANAGER
CITY SECRETARY

MIKE FOREMAN
JOHN SCOTT
STEVE ROCKEY
SALLY BRANSON
TRISH HANKS
ROBERT J. GRIFFON
CARL GUSTAFSON
MARY KAY FISCHER
MORAD KABIRI
MELINDA WELSH

REGULAR SESSION

Mayor Foreman called the meeting to order.

The invocation was given by Pastor Moe Mays with First Baptist Church.

Cub Scouts Daniel Requeña Herrera, Leo Requeña Herrera, and Josué Requeña Herrera with Cub Scout Pack 452 led the Pledge of Allegiance to the United States and to the State of Texas.

COMMUNICATIONS FROM THE PUBLIC

John Cole, Friendswood resident, addressed Council and stated he would like to address how the city can get out of debt, and gave a history of the budget. His recommendation is that in order to maintain city services, cut employee salaries by 50% for five years, resulting in a savings of \$20 Million per year, will allow the city to eliminate total city debit and allow an account to be established for budget surplus, and projects outside the city budget will function from a budget surplus.

Ed Cummins addressed Council and stated he is a real estate broker representing the Cleave's, spoke in support of the proposed Avalon at Friendswood subdivision.

Connie Cleaves Brakebill, Friendswood resident, addressed Council and stated she is at the meeting to speak in favor of the proposed zoning change for the Avalon at Friendswood subdivision.

WORK SESSION

Mayor Foreman opened the discussion regarding the Capital Projects update. Interim Public Works Director Rene' Ibarra presented a PowerPoint presentation regarding the progress made on Capital Projects since January 2019. He reported on Old City Park, Blackhawk Boulevard Phase II, 2018 street maintenance contract, de-silting project, storm sewer cleaning and inspection, sidewalks on Greenbriar Drive, Lift Station No. 23, reconstruction of the pool restroom and ticket booth, current Texas Department of Transportation (TxDOT) projects, and current Galveston County Consolidated Drainage District projects.

With concurrence of Council, Mayor Foreman moved to Agenda Item 6B, Presentation of the 2018 Comprehensive Annual Financial Report (CAFR) from auditors Whitley Penn, presented by Lupe Garcia.

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SPECIAL RECOGNITION AND ACKNOWLEDGEMENTS

Lupe Garcia, Certified Public Accountant (CPA) with Whitley Penn, presented the 2018 Comprehensive Annual Financial Report (CAFR). Mr. Garcia reviewed the audit process, reviewed accounting policies of the city, are in good standing, and stated the results of the audit was an unmodified opinion.

Mayor Foreman thanked Administrative Services Director Katina Hampton and Administrative Services Deputy Director Rhonda Boskas for doing a great job.

With concurrence of Council, Mayor Foreman moved to Agenda Item 9, City Manager's Report.

CITY MANAGER'S REPORT

City Manager Morad Kabiri reported that the Keep Friendswood Beautiful (KFB) Board and the City of Friendswood are sponsoring the annual Spring Sparkle event for the citizens of Friendswood at Centennial Park on Saturday, April 13, 2019. Residents will be required to show proof of residency to participate. KFB Board members have teamed with the city's solid waste services provider, Waste Connections, JSC Federal Credit Union, Sonic of Friendswood, and Star Service, Inc., to provide the community with a great clean-up day. Shred-It Document Shredding will also be onsite to accept paper for shredding from 8:00 AM until noon. Items that will be accepted include green waste, such as tree limbs and grass clippings, appliances, furniture, electronics, miscellaneous wood, metal, and plastic. Simple Recycling will also be there to accept clothing, shoes, jewelry, toys, sleeping bags, pots/pans, blankets, tools, bags, drapes/curtains, silverware, coats/jackets, hats, pillows, bedding, and dishes. No household hazardous waste will be accepted at this location. Residents can also donate garage sale items to Keep Friendswood Beautiful. KFB will be accepting furniture, household items, bikes that are in good condition, clothing will not be accepted. Garage sale items can be dropped off the morning of the event at Centennial Park. All proceeds from the garage sale will benefit the beautification of city facilities and parks.

The City Manager reported that the Friendswood Public Library will celebrate National Library Week from April 8 through April 13, 2019. The Friends of the Library will provide 4GB USB drives and stylus pens for those who visit the library during that week. Dr. William Johnson, Horticulturalist with the Galveston County AgriLife service, will present Beneficials in the Garden on April 13, 2019, at 10:30 AM. For more information about National Library Week, or anything related to the Friendswood Public Library, visit the library's website at www.friendswood.lib.tx.us.

The City Manager reported that the annual Youth Fishing Derby event sponsored by the City of Friendswood Parks and Recreation Department has been scheduled for Saturday, May 11, 2019, at Centennial Park pond for kids ages 16 and under. Over 600 pounds of adult catfish will be stocked in the Centennial Park pond to catch. There is no pre-registration or fishing licenses required to participate. Participants are encouraged to bring their own fishing supplies due to the supply of loaner rods will be limited. Prizes will be awarded to the largest fish caught in different age groups. For more information regarding this event, please contact the Parks and Recreation Department.

The City Manager reported that Staff continues to work with Federal Emergency Management Agency (FEMA) representatives to finalize projects. Resolutions have not been reached with FEMA in regards to the old Public Works and Parks facility on Deepwood Drive. Buyout and elevation applications through the Hazard Mitigation Grant Program and Texas Water Development Board are being reviewed by FEMA.

With concurrence of Council, Mayor Foreman moved to Agenda Item 11, Discussion and possible action regarding disposition of Bid No. 2019-02 for Bulk Fuel Purchase and Delivery.

ACTION ITEMS

**Councilmember Griffon moved to approve the disposition of Bid No. 2019-02 for Bulk Fuel Purchase and Delivery and award to Lee Oil Company.

Seconded by Councilmember Branson. The motion was approved unanimously.

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****Councilmember Rockey** moved to approve an Access and Utilities Easement Agreement with Coastal Bend Property Development, LP.

Seconded by Councilmember Branson. The motion was approved unanimously.

****Councilmember Hanks** moved to approve the acquisition and implementation of Integrated Body-Worn Camera and In-Car Solution.

Seconded by Councilmember Griffon. The motion was approved unanimously.

With concurrence of Council, Mayor Foreman moved to Agenda Item 15, Resolutions.

RESOLUTIONS

****Councilmember Scott** moved to approve Resolution **R2019-09** – A resolution of the City Council of the City of Friendswood, Texas, authorizing and approving the 2018 Community Development Block Grant – Disaster Recovery (CDBG-DR).

Seconded by Councilmember Griffon. The motion was approved unanimously.

****Councilmember Hanks** moved to approve Resolution **R2019-10** – A resolution of the City of Friendswood, Texas, authorizing aerial spraying over Friendswood by the Galveston County Mosquito Control District for the County-Wide Mosquito Control Program.

Seconded by Councilmember Griffon. The motion was approved unanimously.

****Councilmember Griffon** moved to approve Resolution **R2019-11** – A resolution of the City Council of the City of Friendswood, Texas, expressing its full support for the bond projects identified, prioritized, and publicly presented as being included in and funded by the Harris County Flood Control District 2018 Bond Election and requesting that Harris County Commissioners Court proceed with such bond projects; requesting that Harris County Commissioners Court not incorporate the use of HUD low-to-moderate income criteria to now re-prioritize the HCFCD 2018 Bond Election Bond Projects.

Seconded by Councilmember Branson. The motion was approved unanimously.

ORDINANCES

****Councilmember Scott** moved to approve the Second and Final reading of Ordinance No. **2019-10** – An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – “Zoning,” by amending the zoning classification for a tract or parcel containing 1.8864 acres of land, situated in the Sarah McKissick Survey, Abstract 151, being out of Lot 4 in Block 11 of Friendswood Subdivision according to the plat thereof recorded in Volume 238, Page 14, Friendswood, Galveston County, Texas; amending the zone classification from Community Shopping Center (CSC) to Downtown District (DD); providing for amendment of the Official Zoning Map; providing a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; and providing for severability.

Seconded by Councilmember Branson. The motion was approved unanimously.

****Councilmember Hanks** moved to approve the First reading of Ordinance No. **T2019-11** – An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – “Zoning,” by amending the zoning classification for a tract or parcel containing 115.998 acres of land along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) to Planned Unit Development (PUD) for a residential development, “Avalon at Friendswood”, consisting of the following tracts: 1) 87.774 acres, more or less, being a portion of a called 96.944 acres tract in the Mary Fabreau Survey, Abstract No. 69 in Galveston County, Friendswood, Texas, save and except a 9.170 acre portion of the same tract; and 2) 28.2240 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, Friendswood, Galveston County, Texas; amending the zone classification from Single Family Residential (SFR) to Planned Unit Development (PUD) for a residential development, “Avalon at Friendswood”; providing for amendment of the Official Zoning Map;

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providing a penalty in an amount not to exceed \$2,000 for each day of violation of any provision hereof; and providing for severability.

Seconded by Councilmember Branson. The motion was approved 4-3 with Councilmembers Griffon, Scott, and Gustafson opposed.

Community Development Director/City Planner Aubrey Harbin reported that the Planning and Zoning Commission's vote for Agenda Item 16B, First reading of Ordinance No. T2019-11, An ordinance amending the Code of Ordinances of the City of Friendswood, Texas, Appendix C – "Zoning," by amending the zoning classification for a tract or parcel containing 115.998 acres of land along the future Friendswood Lakes Boulevard between West Ranch and Friendswood Lakes Subdivisions, Friendswood, Galveston County, Texas, to change from Single Family Residential (SFR) to Planned Unit Development (PUD) for a residential development, "Avalon at Friendswood", consisting of the following tracts: 1) 87.774 acres, more or less, being a portion of a called 96.944 acres tract in the Mary Fabreau Survey, Abstract No. 69 in Galveston County, Friendswood, Texas, save and except a 9.170 acre portion of the same tract; and 2) 28.2240 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, Friendswood, Galveston County, Texas; amending the zone classification from Single Family Residential (SFR) to Planned Unit Development (PUD) for a residential development, "Avalon at Friendswood"; providing for amendment of the Official Zoning Map **was approved 4-3**.

Ms. Harbin further stated the opposition was due to concerns regarding limited access to lakes, percentage of lot sizes not comparable to other Planned Unit Developments (PUD), lack of amenities such as trails, ponds, small parks, etc. Reasons for approval were market conditions to provide a variety of lot sizes, meets the spirit of the law, quality builder, meets the general purpose of PUD per Zoning Ordinance, and private streets.

Discussion took place between Mayor, Council, Bobby Skinner and Bob Kulpinski with Taylor Morrison, Kathryn Parker with META Planning + Design, and Staff regarding variety of lot sizes, lake access, each lot would pay into Park Funds, anticipated retail value of homes is \$400,000 to \$800,000 depending on size, ninth Avalon community in Houston Metropolitan area, amenities included, impervious cover requirements, and land density.

Councilmember Rockey asked for a Point of Order and asked if Councilmember Gustafson made a motion to table.

***Councilmember Gustafson moved to **table** the First reading of Ordinance No. T2019-11.

Seconded by Councilmember Griffon. The **motion to table failed** 3-4 with Mayor Foreman and Councilmembers Rockey, Branson, and Hanks opposed.

With concurrence of Council, Mayor Foreman moved to Agenda Item 7, Joint Public Hearing.

JOINT PUBLIC HEARING

Mayor Foreman and Planning and Zoning Commission Chair Joe Matranga called a Joint Public Hearing to order to receive comments from the public both oral and written, regarding amending the City of Friendswood Code of Ordinances, Appendix C, Zoning Ordinance "Section 15. Amendments" and "Chapter 70 Vacation of Street, Drainage, Utility or other Public Easement" to change from Joint Public Hearings to separate Public Hearings and to amend ordinance wording to be consistent with state law.

Community Development Director/City Planner Aubrey Harbin explained the Planning and Zoning Commission's (P&Z) desire to change the current process implemented in 2007, changes since implementation, 2012 Council started meeting only once a month, 2015 City Attorney was hired on Staff rather than outside counsel, intent is to remain developer friendly, would be able to give developers a firm schedule, and change P&Z meeting dates to the second and fourth Thursday of each month.

Planning and Zoning Commission Chair Matranga asked if anyone would like to speak in favor or in

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opposition of the request. No one spoke.

Planning and Zoning Commission Chair Matranga adjourned the Planning and Zoning Commission's portion of the Joint Public Hearing. Mayor Foreman left Council's portion of the Joint Public Hearing open.

With concurrence of Council, Mayor Foreman moved to Agenda Item 14, Discussion and possible action regarding concurrence with the City Manager's appointment of a Public Works Director.

ACTION ITEMS (continued)

**Councilmember Scott moved to approve the City Manager's appointment of Rene' Ibarra as the Public Works Director.

Seconded by Councilmember Rockey. The motion was approved unanimously.

With concurrence of Council, Mayor Foreman moved to Agenda Item 10A, Keep Friendswood Beautiful Annual Report given by Chair Natasha McAdoo.

COMMUNICATIONS FROM COMMITTEES AND SPECIAL REPORTS

Keep Friendswood Beautiful (KFB) Chair Natasha McAdoo gave the annual report. Ms. McAdoo presented a video presentation that highlighted many of KFB's projects and events over the past year. In 2018, KFB had face-to-face engagement with over 15,000 citizens, educated over 3,900 youth and adults in environmental stewardship, and shared KFB's message through newsletters, email, press releases and social media with over 100,000 people. KFB held workshops on creating bird friendly communities and backyard citrus seminars, provided welcome bags for new Friendswood residents, sponsored a "Schools Out for Summer" event, helped with Eagle Scout projects, managed creations of murals for "Art in the Park", received and organized items received to be reused and recycled, and successfully kicked off the Simple Recycling program in March. At the recent tree giveaway, 100 trees were given away to Friendswood residents. A pollinator garden has been created and implemented at Stevenson Park which will provide beauty and sustainability to pollinators, and provide a tangible educational model of our ecosystem. Texas Department of Transportation (TxDOT) has started the planning and implementation of the median rebuild from damage during Hurricane Harvey, and work should begin in the fall of 2019. TxDOT has graciously agreed to add brick end caps to each of the medians, and provide new flowers and plants that will complement the new color scheme and branding for the City of Friendswood. KFB will be promoting a summer bucket list to encourage individuals and families to spend unplugged time outdoors and with each other. The summer bucket list will include items like climbing a tree, watching a sunset with a loved one and having a picnic in the park. KFB members present in the audience were acknowledged, worked 2,967 volunteer hours over the past year, works well with Parks and Recreation staff, and thanked Council for their continued support.

With concurrence of Council, Mayor Foreman moved to Agenda Item 6A, Proclamation for Sherry Goen for her service with the Keep Friendswood Beautiful Committee.

SPECIAL RECOGNITION AND ACKNOWLEDGEMENTS (continued)

Mayor Foreman presented a proclamation to Keep Friendswood Beautiful member Sherry Goen for her years of service with the Keep Friendswood Beautiful Committee.

With concurrence of Council, Mayor Foreman moved to Agenda Item 16D, Ordinance No. T2019-14.

ORDINANCES (continued)

Councilmember Griffon moved to approve the First reading of Ordinance No. **T2019-14 – An ordinance approving the execution of a Developer Participation Agreement between the City of Friendswood (city) and Coastal Bend Property Development, LP, (developer) and Ser Construction Partners, LLC, (contractor), for the purpose of making certain public improvements as authorized by law.

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Seconded by Councilmember Scott. The motion was approved unanimously.

****Councilmember Branson moved to approve the First and Final reading of Ordinance 2019-15 – An ordinance amending City of Friendswood, Texas, Ordinance No. 2018-28, passed and approved October 1, 2018, same being an ordinance approving and adopting the City's General Budget for Fiscal Year 2018-2019 by approving "Budget Amendment VI" to the "Original General Budget of the City of Friendswood, Texas, for the Fiscal Year 2018-2019"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.**
Seconded by Councilmember Hank. The motion was approved unanimously.

With concurrence of Council, Mayor Foreman moved to Agenda Item 16C, Ordinance No. T2019-13.

****Councilmember Scott moved to approve the First reading of Ordinance No. T2019-13 – An ordinance amending Appendix C – "Zoning," section "Amendments" and Chapter 70 "Vacation of Street, Drainage, Utility or other Public Easement" to change from Joint Public Hearings to separate Public Hearings and to amend ordinance wording to be consistent with state law; providing a penalty for violation in an amount not to exceed \$2,000, or as otherwise provided by law; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability.**
Seconded by Councilmember Branson. The motion was approved unanimously.

City Manager Morad Kabiri reported that the Planning and Zoning Commission's vote for Agenda Item 16C, First reading of Ordinance No. T2019-13, An ordinance amending Appendix C – "Zoning," section "Amendments" and Chapter 70 "Vacation of Street, Drainage, Utility or other Public Easement" to change from Joint Public Hearings to separate Public Hearings and to amend ordinance wording to be consistent with state law **was approved 6-0.**

With concurrence of Council, Mayor Foreman moved to Agenda Item 18, Consent Agenda.

CONSENT AGENDA

****Councilmember Scott moved to approve the Consent Agenda as presented: A. Approving an agreement with Friendswood Area Swim Team (FAST) for the use of the Sesquicentennial Swimming Pool and authorizing the Mayor to execute the agreement. B. Accepting the February 2019 Property Tax Report. C. Approving the minutes of the March 04, 2019, Council Meeting.**
Seconded by Councilmember Griffon. The motion was approved unanimously.

With concurrence of Council, Mayor Foreman moved to Agenda Item 20, Close Executive Session.

Mayor Foreman recessed the meeting at 6:41 PM, and reconvened the meeting at 6:54 PM.

CLOSED EXECUTIVE SESSION

Mayor Foreman asked if anyone would like to speak regarding the Executive Session. No one spoke.

Council convened into Executive Session in accordance with Texas Government Code, pursuant to Section 551.074 – Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee with possible discussion and action related thereto in open session (Evaluation of the City Secretary).

RECONVENE INTO OPEN SESSION

Council reconvened into Open Session with action taken later in the meeting regarding Section 551.074 – Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee with possible discussion and action related thereto in open session (Evaluation of the City Secretary).

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With concurrence of Council, Mayor Foreman moved to Agenda Item 8, Communications from the Public.

COMMUNICATIONS FROM THE PUBLIC

Mayor Foreman asked if anyone would like to speak. No one spoke.

With concurrence of Council, Mayor Foreman moved to Agenda Item 19, Work Session.

WORK SESSION (continued)

Mayor Foreman opened the discussion regarding the Drainage Subcommittee report. Drainage Subcommittee member James Stahl presented a PowerPoint presentation regarding the Drainage Subcommittee's observations, conclusions, and recommendations. Drainage Subcommittee members were introduced, and reported that Council chartered the subcommittee in June 2018, subcommittee has met 35 times since the first meeting on June 28, 2018, with over 500 hours of service. The presentation was developed by the whole subcommittee team. Subcommittee members James Stahl and Lee Coggins will present the presentation to Council tonight. The subcommittee presented the problem statement, a significant portion of the data and analysis in previous work sessions with Council. Additional analysis will be presented along with observations, conclusions, and recommendations. Drainage Subcommittee member Lee Coggins stated after Hurricane Harvey, the city's Public Works Staff visited all damaged buildings and homes. The estimated level of flooding was measured from water marks on the outside of houses above the slab, Staff did not enter homes, and the subcommittee believes the data is accurate within a few inches in either direction. A chart was shown displaying that the total number of units flooded in the City of Friendswood was 2,838, single family residential made up 85% of impacted units, and the majority of affected units had minor to major flooding. A chart was displayed showing the cumulative totals of units flooded by inches of water taken on. Modeling and simulation are important to help solve drainage problems. The city hired Rice University Professor Doctor Phil Bedient and his team from Rice University to create a model of how Clear Creek reacts in the Friendswood area. Dr. Bedient's team has reported back to the subcommittee with their model and measured the effects of various proposed projects, and the subcommittee intends to keep the relationship with Dr. Bedient's work and have future items modeled. Overall study area and modeling domain of Dr. Bedient's work included the Clear Creek Watershed and Armand Bayou Watershed. The City of Friendswood's study of focus included primarily residential and commercial development, and flood drivers were low slopes, high imperviousness, and proximity to coast. Dr. Bedient's model evaluated existing flood vulnerability with mathematical modeling, validated the model against the observed flooding seen in Hurricane Harvey, explored a variety of mitigation scenarios including bridge raising, de-snagging, channelization and terracing, diversion at outlet, proposed detention ponds, and modeled multiple scenarios to determine the best group. A hydrologic model was used to see rainfall, soils, and land use, and translated into a hydraulic model in which water surface elevations were extracted and floodplain maps generated. The distributed Hydrologic Model included fully distributed physics-based hydrologic model developed by Vieux and Associates Incorporated, infiltration calculated by Green and Ampt Equation, used Kinematic Wave to route runoff between overland grid cells and Modified Puls for channel cells, and rainfall input can be rain gauge data or radar rainfall. Hydraulic Model was developed by the Hydrologic Engineering Center of the United States Army Corps of Engineers, used in various floodplain studies and dam breach analyses, 1D steady-state is used as the basis for Federal Emergency Management Agency (FEMA) floodplains, and the existing model was obtained from Harris County Flood Control District M3 system. Additionally floodplain maps can be predicted for each test scenario by using the models, and a floodplain map of Hurricane Harvey scenario was shown, accurate to the events that happened, and flood waters covered almost half of the City of Friendswood. Changes in land use in Clear Creek Watershed from 2008 to 2018 included a decrease in surface elevation mostly from the addition of detention ponds, increases in land elevations due to land development, and some areas remain unchanged. Model validation for peak water surface evaluation for Hurricane Harvey included measurements from gauges at different points along the creek, around a half a foot difference, actual measurements versus model measurement is pretty good, and it is actually considered outstanding in the field of flood modeling. A mitigation example scenario of raising the FM 2351 bridge was run through the model to see the impact of such projects. In all cases, data was shown for the effect of the example project for the historical 100-year storm, and negative numbers indicated a lower flooding rate if the project would have been in place.

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If the FM 2351 bridge was raised, most impacts seen are at lower rain amounts. In a Hurricane Harvey type storm, a lot of water does not have as much of an impact because once the water has covered the bridge it can no longer act like a dam or hindrance. All three bridges would need to be looked at to get the best benefit. Another method of mitigation is terracing, based on terracing design, extend a 200 foot terrace to both sides of the creek to allow more detention of water, channel meanders remain intact, grass terracing has a roughness coefficient of 0.04 on its terraces. A summary of scenario individual testing at different location points was shown. Dr. Bedient's team calculated the group of projects that would have the biggest effect, raising the FM 2351 bridge, de-snagging and terracing together have the greatest positive impact, those same projects do not negatively affect League City, combination scenario decrease up to about 3.5 feet of water at Friendswood during Hurricane Harvey, effect is more pronounced upstream of Whispering Pines and begins to diminish downstream, land availability downstream of FM 528 is greater, increasing the terracing width there would likely increase the effect between FM 528 and Bay Area Boulevard, and a graph was shown demonstrating the effects of raising the FM 2351 bridge and terracing on Hurricane Harvey flood levels. Assuming the best project case was completed before Hurricane Harvey, using locations of where the houses flooded and possible reduction basis modeling, 850 houses would have flooded instead of 2,830, 250 of those houses would have gotten six inches or less, and 550 of the houses would have gotten between six inches to two feet of water. The Drainage Subcommittee asked for modeling of six proposed detention ponds at different locations, and detention ponds did not help in regards to a 100-year storm in modeling. One example used was a detention pond at Whispering Pines, changes were minimal for a Hurricane Harvey type storm. In order to have an effect on a Hurricane Harvey type storm, a 4,500 acre pond would be needed somewhere upstream, and additional modeling could be done to provide better estimates of the effects of detention ponds. The modeling scenario used for diversion was diverting water out of Clear Creek at the Bay Area Bridge and finding another path to the Gulf other than going down and out Clear Lake. The positive effects of the modeling occur mainly near and below the diversion point, further modelling is needed to better define, does require moving the water across other watersheds, significant land acquisition is needed, project cost would exceed \$300 Million and would have to be done by United States Army Corps of Engineers, City of Friendswood's portion of cost would be less than 5%, other cities and agencies would control this, there are other diversion type projects that need to be modeled, Friendswood should remain interested in this project, and, if triggered by other agencies, Council should support.

Drainage Subcommittee member James Stahl stated an observation is a conclusion the team has reached based on research, majority of the observations have been previously presented to Council and supported by a majority of the team, and each observation has multiple premises that helped the subcommittee reach the conclusion. Observations can be in the area of mitigation projects, costs, implementation, political concerns, safety, and environmental and more from the observations. The subcommittee has formulated recommendations from their observations and premises. A graph showing historical rainfall events in Friendswood was shown. Observation No. 1 is the City of Friendswood experiences catastrophic flooding when the watershed receives rainstorms of 24 inches or more in less than two days. The subcommittee believes such storms are occurring more frequently, there have been three major storms that have occurred in the last 40 years (Tropical Storm Claudette, Tropical Storm Allison, and Hurricane Harvey). Storms of lesser severity can cause localized flooding but do not create the wholesale flooding of significant portions of the city. Further development of the watershed will exacerbate the effects of such storms or will cause smaller storms to have the same impact. Observation No. 2 is that in the City of Friendswood and all other areas, flooding of Clear Creek occurs because enough water cannot either be stored upstream or drain fast enough to the ocean during storms. Methods to reduce flooding include reducing the amount of water entering Clear Creek in Friendswood during storms, and increase the ability to flow water out of Clear Creek during storms. An estimated 300,000 acre-feet of water came to the City of Friendswood in Hurricane Harvey (2/3 of that in Tropical Storms Allison and Claudette). Acquisition of property would be required to implement these options. In Hurricane Harvey, tributaries in Friendswood were not the restrictions but backed up because they could not exit into Clear Creek. Observation No. 3 is that over the last 80 years the Clear Creek Watershed has been significantly changed by humans for land use and this has altered the physics of the flow. Portions were straightened and widened to reclaim wetlands for farm use and later for residential areas. Some areas have not been altered and retain their natural unimproved watercourse such as in the City of Friendswood. Clear Lake is extensively developed at the outlets of the Clear Creek Watershed to Galveston Bay. Observation No. 4 is there are multiple jurisdictions in the Clear Creek

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Watershed that pass water into Clear Creek without any further responsibility. The land mass of the jurisdictions that drain to Clear Creek in Friendswood is seven times the size of the City of Friendswood. Jurisdictions generally apply a 1% storm criterion for land use, which are not the type of storms that currently cause wholesale flooding. Some jurisdictions are beginning to make changes. There is no overall governing body although the current Clear Creek Watershed Steering Team has an advisory role. Observation No. 5 is that currently the City of Friendswood considers their role is to move water effectively from property owner boundaries to the nearest creek or drainage waterway to Clear Creek. That is consistent with other jurisdictions in the watershed, to the extent that the infrastructure exists, there are some areas or pockets of the city that flood in big storms, and may have a local drainage issue. Observation No. 6 is that the City of Friendswood's General Fund is inadequate to fund projects necessary to mitigate flooding of Clear Creek from the storms in question. The city is hampered by not having capital funds to support shared funding or pre-funding and payback projects. The city's yearly General Fund is \$25 Million, mitigation projects could be an order of magnitude larger. Funding would be required from other sources and the city would be required to aggressively pursue this funding and be vocal about how funds are disbursed. Observation No. 7 is cities and areas that are successful in advancing flood projects nationwide have built in a structure that ensures a constancy of purpose to create a long term strategy. Observation No. 8 is there are multiple Hurricane Harvey related funding streams available (federal, state, and county), some agencies have already been funded and projects are in the early stages of implementation, and the impacts of these projects on the City of Friendswood has not be adequately demonstrated to the Drainage Subcommittee. Harris County has received direct Federal Funds, other counties, including Galveston County, have not received direct funds yet, and it is currently not clear how the funds will be shared. The City of Friendswood has applied for federal and state funding for property buy-outs but some have not been approved and some are pending. Projects have been scheduled for areas upstream like Clear Creek in the City of Pearland, Mud Gully, and Turkey Creek. Simulation results shared with the subcommittee were for 1% storms only, and the subcommittee has requested the United States Army Corps of Engineers perform simulations on storms like Hurricane Harvey but the information has not been received yet. Caveats to the subcommittee's observations are that the team stayed within its charter to examine flooding and fixes. There are a number of areas not addressed but some of the important ones include projects that might have environmental impacts that will have to be addressed, projects such as retention, detention, and terracing of Clear Creek may afford opportunities to create appealing benefits such as parks, sport fields, nature trails, and more. The subcommittee did not define the cost of these appealing benefits. The subcommittee's recommendations are based on the data collected and the observations shared with Council during this work session and in previous Council meetings. Some recommendations attack multiple observations and all recommendations are intended to be actionable by Council if they choose to take action. Recommendation No. 1 is that Council needs to clearly state, through a resolution, that the work of the subcommittee generates a cause for action to mitigate rainstorm flood events. The subcommittee has provide backup information to all presentations, and a resolution would demonstrate commitment from Council. Recommendation No. 2 is that Council accepts that there are a number of mitigation projects that involve the main stem of Clear Creek that need to be pursued to completion to significantly reduce flooding in the City of Friendswood. The main stem of the creek is the problem, tributaries flood by backing up, and the methods to reduce flooding are either store more water, drain it faster, or remove structures from properties that flood. Mitigation is expensive and will take time to acquire matching funds, perform engineering, acquire right-of-ways, and implement the projects. Recommendation No. 3 is to allow voters to cast a vote on a bond election that would provide \$32 Million over the next 15 years on drainage projects. These funds would only be allowed to be spent on drainage projects associated with the main channel of Clear Creek. The cost to complete the needed projects is higher than \$32 Million, but this amount allows the city to leverage other funds available. Without money to spend on flood projects the City of Friendswood would be frozen out of consideration for many direct impact projects. The number of projects, their positive effects, their costs, expected percentage the city would have to contribute and the time frame, determined the proposed amount. Council would need to determine the net impact on taxes for bonds drawing over that period of time. This recommendation also relies on the Galveston County Consolidated Drainage District to continue their work on their tributaries. A list of estimated cost of projects with the best benefit was shown with an estimated total cost to the City of Friendswood of \$31,800,000. The proposed projects listed included de-snagging, bridge/road raising FM 2351, bridge/road raising FM 528, terracing Dixie Farm Road to FM 2351, terracing FM 2351 to Whispering Pines Avenue, terracing Whispering Pines Avenue to FM 528, terracing FM 528 to West Bay Area Boulevard, buyout lots, and engineering and environmental

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impact studies. Estimated costs are based on engineering estimates for similar work. Recommendation No. 4 is for the city to hire a long-term Clear Creek Watershed Drainage Coordinator for the City of Friendswood to create a long-term strategy and a constancy of purpose. Experience shows with government to ensure something is completed and to have a long-term approach it has to be one person's clear job and they are held accountable for their progress. The City Manager would be responsible for defining the job description, hiring, and managing the performance toward the long-term goals. Council should be very active in the progress of this work and expect routine reports in Council meetings. The position would need to have a budget to successfully complete projects and continue the subcommittee's work on mathematical simulations, would be responsible for Clear Creek drainage project definition, spending, grant writing, interaction with other jurisdictions, and interaction with the public, and would monitor projects on Clear Creek and require simulations to show the effect of these projects during storms sizes that flood the City of Friendswood. Recommendation No. 5 is that the city should review and change its current permitting criteria regarding drainage to reflect the realities of the types of storms that occur here. Design criteria for new construction at the 1% storm level is inadequate. Optimally this should be done in conjunction with other municipalities up and down the creek, and current existing structures would be grandfathered unless substantially altered. Recommendation No. 6 is the acquisition of properties will be required to adapt Clear Creek to meet the demand for drainage. The City of Friendswood will need to have the means to acquire properties for drainage projects. The acquisition of land was included in the subcommittee's calculations for bond needs, will allow quick response to purchase damaged properties after a flood event and purchase of properties as they go on the market at any time. Privately owned properties cannot be used for drainage projects. Recommendation No. 7 is the city needs to be proactive regarding the management of the flow of water down Clear Creek. The city should take a leadership role in organizing municipalities along Clear Creek to create a common purpose in fixing the creek. There are over half a dozen agencies currently involved with Clear Creek. The city needs to recognize the responsibilities of other entities and needs to increase support to these groups. The current master plan for the watershed needs improvement, and solutions have to involve land use. Council needs to reach out to other cities to initiate communications, and initial discussions with League City leadership indicates they are of like minds with the subcommittee. Recommendation No. 8 is that there are currently several efforts to restructure watershed management being contemplated at the county and state level. Council needs to be active and participate in and determine if these efforts would be beneficial to the City of Friendswood. Generating watershed control systems can be hugely helpful so long as they are focused on the entire watershed, are governed fairly, and are resourced properly. Care should be given to ensure that changes do not reduce effective current drainage system, and until the Drainage Coordinator position is filled Council should determine a method to evaluate changes coming from either the counties or state. Recommendation No. 9 is Council's focus should entirely be toward the future. There is no justification to seek redress directed at upstream or downstream entities for the changes that have occurred along Clear Creek. Many of the significant alterations of the creek were done a long time ago, continue to this day, and will continue in the future. All municipalities comply with current laws and ordinances, state and federal law would not support being successful with legal action. The City of Friendswood has also allowed development, including houses built right on the creek, and that has also contributed to the drainage problem. Recommendation No. 10 is that the city should be directed to research and propose solutions for flooding that was not caused by Clear Creek in the city during Hurricane Harvey. This may require funding not part of bond capital which is dedicated to Clear Creek's main stem, and may require General Funds to perform the repairs. Recommendation No. 11 is the monitoring of creeks in Friendswood need to be greatly increased during flood events for flooding and safety purposes. There are blind spots on Clear Creek and tributaries in Friendswood regarding inundation levels and rain gauges. This affects safety and the ability to give first alerts to be issued, and more of these need to be added in critical areas. A summary of actions the subcommittee needs from Council at this meeting includes a decision if the Drainage Subcommittee should present information to the Citizen Advisory Team regarding the bond recommendations from the subcommittee. The subcommittee has met its original charter from Council to make recommendations back to Council that are fact-based only and include project types, costs, societal impacts, and political obstacles. There is on-going work with Dr. Bedient's team to further define project effects, Staff could keep moving forward, Council could re-charter the current team, or Council could charter a new subcommittee to continue this work.

Drainage Subcommittee member Lee Coggins stated a lot of information has been presented, and asked

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Council to review information provided. After Hurricane Harvey, he came to City Hall for a building permit and unloaded on Staff in frustration, lives a mile away from the creek, only a 15-foot elevation difference as the creek runs through the City of Friendswood, heard stories from friends that floodwater came up to their doorways but not inside their homes, something needs to be done now regarding flooding, subcommittee has done a lot of work and are now passing the torch onto Council, and thanked Council for the honor of serving on the Drainage Subcommittee.

Drainage Subcommittee member James Stahl stated the subcommittee invested a lot of time and effort into their work, high level of professionalism and commitment, wished Council the best of luck, hopes Council takes the information provided and are driven to the same constancy of purpose as the subcommittee, need to set things in motion now with current Council, projects will take many years to complete, appreciates Councilmember Rockey, amazed at the work and time Councilmember Rockey has put into the subcommittee, and recognized the Drainage Subcommittee members present.

Discussion took place between Mayor, Council, Staff, and Drainage Subcommittee members Lee Coggins and James Stahl regarding that Rice University Professor Doctor Phil Bedient's report is in draft form and is being reviewed by the Drainage Subcommittee. Dr. Bedient's final report will be made available to the public once finalized. Council is appreciative of the work the subcommittee has done, funds are needed for various projects recommended by the subcommittee, localized flooding issues throughout portions of the city, City of League City is interested in regional collaborations, Harris County Flood Control District and Galveston County Consolidated Drainage District had a presence in subcommittee meetings, United States Army Corps of Engineers is interested in having future meetings with the city, majority of recommended projects would require the city partnering with other agencies, and overall management of Clear Creek Watershed is needed instead of multiple entities working individually. The consensus of Council was for the Drainage Subcommittee to present information to the Citizen Advisory Team, projects for possible proposed bond projects will need to be specific to things that will have the greatest impact on reducing flooding in the city. Council consensus was to dissolve the Drainage Subcommittee and allow Staff to move forward, and Staff will schedule an additional work session with Council to further discuss the subcommittee's recommendations.

With concurrence of Council, Mayor Foreman moved to Agenda Item 17, Communications from the Mayor and Councilmembers.

COMMUNICATIONS FROM THE MAYOR AND COUNCILMEMBERS

Councilmember Gustafson stated the Drainage Subcommittee has met for nine months, a lot of work, everyone has done a great job, and met some neat people he would not have met otherwise. He believes the subcommittee ended up producing a good project scoping estimates and showing ideas of what each project could do for the city.

Councilmember Rockey stated May 4, 2019, the library will host a Star Wars themed event, his son is going to dress as Chewbacca, and the library will have various activities going on for the event.

Councilmember Branson stated the city just completed the first full month of Simple Recycling, Spring Sparkle is April 13, 2019, Rotary Reverse Draw is April 06, 2019, former Friendswood Independent School District Superintendent Walter Wilson's memorial service will be April 06, 2019, and thanked the Drainage Subcommittee for the great job they did.

Councilmember Hanks stated the Mayor gave a great State of the City address, congratulated Councilmember Branson on receiving Business of the Month from Friendswood Chamber of Commerce, and thanked Staff for the reflective painting on the curbs.

Mayor Foreman and Councilmembers Griffon and Scott stated they had nothing to report.

With concurrence of Council, Mayor Foreman moved to Agenda Item 22, Consideration and possible action regarding the annual review of the City Secretary.

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ACTION ITEMS (continued)

**Councilmember Griffon moved to approve giving the City Secretary a 3.5% salary increase. Seconded by Councilmember Hanks. The motion was approved unanimously.

The meeting was adjourned at 8:51 PM.

Mayor Mike Foreman

Attest:

Melinda Welsh, TRMC
City Secretary