NOTICE OF A REGULAR MEETING OF THE CITY OF FRIENDSWOOD PLANNING AND ZONING COMMISSION, TO BE HELD THURSDAY, JANUARY 17, 2019, BEGINNING AT 7 PM, IN THE COUNCIL CHAMBERS AT CITY HALL LOCATED AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS

REGULAR MEETING

1. Call to order

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

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

   A. Minutes from December 4, 2018 (retreat)
   B. Minutes from January 3, 2019 (regular meeting)
   C. Howard Subdivision Partial Replat No. 2

   Action Items
   According to the Planning and Zoning Rules of Procedure (R2010-09), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

4. Discussion regarding the **difference in Joint Public Hearings and separate Public Hearings and public hearing notice requirements as they pertain to Appendix C Zoning Ordinance Section 15. Amendments and the Local Government Code Chapter 211, Municipal Zoning Authority**

5. Discussion regarding **Planning and Zoning Commission meeting days and times as they pertain to Resolution 2010-09 Rules of Procedure for the Planning and Zoning Commission**

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

   Monday, February 4, 2019 – Joint Work Session (4:30) and Joint Public Hearing with City Council and regular meeting (7pm)
   Thursday, February 7, 2019
   Thursday, February 21, 2019

7. Communications

   a. Commissioners
      Suggestions for future agenda items and general comments

Updates from liaison assignments

b. Ordinance Subcommittee Update
c. Planning Subcommittee Update
d. Downtown District Subcommittee Update
e. Council Liaison – Sally Branson
f. Staff

December 2018 DRC Report

8. Adjournment

_____
Aubrey Harbin, LEED AP
Director of Community Development/City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours 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 certify that the ABOVE NOTICE OF MEETING of the Friendswood Planning and Zoning Commission was posted in a place convenient to the general public in compliance with Chapter 551, Texas Government Code on the 14th day of Januray, 2019, at _____.

_____
Melinda Welsh, City Secretary

All meetings of the Planning & Zoning Commission are open to the public, except when there is a necessity to meet in an Executive Session (closed to the public) under the provisions of Section 551, Texas Government Code. The Planning & Zoning Commission reserves the right to convene into Executive Session to hear any of the above described agenda items that qualifies for an executive session by publicly announcing the applicable section number of the Open Meetings Act.

PLANNING & ZONING COMMISSION

MINUTES OF A
SPECIAL MEETING
HELD TUESDAY, DECEMBER 4, 2018
AT 6:00 PM

CITY PUBLIC LIBRARY
416 S. FRIENDSWOOD DRIVE
FRIENDSWOOD, TEXAS

SPECIAL MEETING (RETREAT)

1. The Special Meeting was called to order at 6:00pm with the following people in attendance:

Commissioner Joe Matranga	Commissioner Richard Sasson
Commissioner Lisa Lundquist	Commissioner Brett Banfield
Commissioner Marcus Perry	Commissioner Eric Guenther
Commissioner Dick Clark	Aubrey Harbin, Director of CDD/Planner

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

No public comments.

3. Consideration and possible action regarding establishing and prioritizing goals for the Planning and Zoning Commission.

Chairman Matranga brought several items up for discussion including:

- General Topics:
    - Investigate if the Commissioners can receive the backup materials further ahead of the Commission meetings?
    - Is it beneficial for Commissioners to have City of Friendswood email accounts to use for P&Z business to allow easy retrieval for any records request and easier access from the public?

- Comprehensive Plan: Before P&Z and Staff begin developing the process to update Friendswood's Comprehensive Plan, develop a summary of the pros and cons for review by the full Commission and ultimately present to Council to ensure that there is sufficient support.
- Downtown Planning Project: Invite the FDEDC to present their status and current plans to the Commission at a future P&Z meeting.
- Permitted Uses Table: Have the Downtown District subcommittee look into the Permitted Uses Table for downtown Friendswood.
- P&Z Commission Meeting Days
    - Develop a summary of the impacts to the permitting process by changing the P&Z regular meetings to 2nd and 4th Mondays.
    - The Ordinance Subcommittee will develop the pros and cons of moving the regular meeting day for review by the full Commission.
- Zoning Ordinances Update: A general zoning ordinance review will be a focus in 2019
- Scenic City Designation: Develop and present for approval the necessary ordinance changes to improve Friendswood's Scenic City designation ahead of the needed January 2019 City Council approval request and the March 2019 application.

4. The Special Meeting adjourned at 8:00pm.

PLANNING & ZONING COMMISSION

MINUTES OF A
REGULAR MEETING
HELD THURSDAY, JANUARY 3, 2019
AT 7:00 PM

CITY HALL
COUNCIL CHAMBERS
910 S. FRIENDSWOOD DRIVE
FRIENDSWOOD, TEXAS

REGULAR MEETING

1. The Regular Meeting was called to order at 7:00pm with the following people in attendance:

Commissioner Joe Matranga	Commissioner Richard Sasson
Commissioner Lisa Lundquist	Commissioner Brett Banfield
Commissioner Marcus Perry	Commissioner Eric Guenther
Becky Summers, Development Coordinator	Commissioner Dick Clark
Aubrey Harbin, Director of CDD/Planner	City Attorney Mary K. Fischer

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

No public comments.

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

A. Minutes from December 6, 2018

Motion to approve: Sasson
Second: Lundquist
Vote: 7 to 0 Unanimous **Motion Passed**

Action Items

According to the Planning and Zoning Rules of Procedure (R2010-09), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

4. Consideration and possible action regarding the **site plan for Chick-Fil-A to be located at 1757 S. Friendswood Drive**

Motion to approve with staff comments: Banfield
Second: Perry
Vote: 7 to 0 Unanimous **Motion Passed**

Harbin said Chick-Fil-A was proposing a new restaurant to be built left of the Virgata Commons buildings under construction. She said staff had a few clerical comments on the plans and the developer was in the middle of replatting the property. She said the property was located in the Community Overlay District (COD) and the design met the COD requirements. Harbin also mentioned the restaurant would be exceeding the parking requirements.

Lundquist asked if they would be making corrections on the lighting. Harbin said the lighting must be in compliance.

Clark questioned the parking requirements and stacking spaces. Harbin said the plan exceeds the City's required parking spaces and anything in excess would be determined by the business owner. She said the City has technical specifications for aisle widths ,etc. but stacking spaces for a busy fast food place would be defaulted to the restaurant operator.

Guenther asked if Chick-Fil-A would be installing a sidewalk. Harbin said the development would be installing a sidewalk to match the adjacent properties.

Guenther commented on the poor maintenance of the nearby detention pond. He asked who maintained the pond and if they were still going to install a trail system. Harbin answered the pond was owned by Virgata Properties and maintained by a property owner association. Guenther asked how to drive them to make it look better. Harbin said the closer the buildings are to being completed, the pond will be addressed. She said the property owner will want their entire development to be aesthetically pleasing.

5. Consideration and possible action regarding the **Preliminary Plat of Roberston Estate**, 12.15 acres out of Tracts "A" and "B" of division of Lot 3 and 4, Block J, Central Park Subdivision in the Sarah McKissick or J.R. Williams League, Abstract 151, Galveston County, Texas, according to the plat of Central Park Subdivision recorded in Volume 105, Page 151, in the Office of the County Clerk of Galveston County, Texas

Motion to approve with staff comments: Clark
Second: Sasson
Vote: 7 to 0 Unanimous **Motion Passed**

Harbin stated this was a 12 acre tract of land zoned Single Family Residential. She said some of the Commissioners had questioned why a single lot would be platting. Harbin explained property must be platted or qualify for a platting exemption before permits can be issued. She said the exemption was for properties five acres or less and without creating

easements. She said staff had minor corrections that needed to be addressed but they were labeling issues, not design issues.

Lundquist said the plat had a note regarding the 1999 Flood Insurance Rate Map (FIRM) but the City had adopted new ones. Harbin answer staff would have it corrected.

6. Consideration and possible action regarding the **Preliminary Plat of Industry Park** Friendswood, 7.9874 acres out of Lot 64 Division "D," of Hoidale-Coffman Addition Volume 3, Page 6 Harris County Map Records in the Perry and Austin League, Abstract 55 City of Friendswood, Harris County, Texas

Motion to approve: Guenther
Second: Lundquist
Vote: 7 to 0 Unanimous **Motion Passed**

Harbin explained this plat was to divide eight acres into seven commercial reserves. She said the property is zoned light industrial and located off of FM 2351 by the Timber Creek Golf Club. Harbin said access would be gained through private access easements. She said the City is currently working with the land owner to improve the road to the adjacent City water plant.

Stephanie Canady/Coastal Bend Development stated they have one business looking forward to moving to Friendswood already.

Clark asked if access would be through the same road as the golf club. Canady answered this tract was about a block down from the golf club road and they would be widening and improving the road.

Lundquist said this plat also referenced the 1999 FIRM to which Harbin explained that the 1999 map is the version FEMA recognizes.

Perry mentioned the lot was very wooded and asked if they would be paying into the City's tree fund. Harbin said tree mitigation is reviewed during site plan review.

Guenther asked when they planned to start development. Canady said they are looking to be done with the first building in 2019.

7. Presentation of the "Downtown Improvement Plan" by Ron Cox on behalf of the Friendswood Downtown Economic Development Corporation

Harbin explained the FDEDC had hired a consulting firm to formulate a plan for public property. Ron Cox presented a condensed Power Point of the Downtown District Improvement Plan to the Commission.

8. Consideration and possible action regarding possible amendments to Appendix C, Zoning Ordinance, Section 8. Supplementary District Regulations to add landscaping requirements and dumpster screening requirements

Motion to approve: Sasson
Second: Clark
Vote: 7 to 0 Unanimous **Motion Passed**

Summers stated the City is due to renew its Scenic City application and staff had found several areas to gain points by adding language into the Zoning Ordinance and Subdivision Ordinance. She stated many of the requirements are "low hanging fruit" being items the City already practices but does not have in writing.

Summers read through the proposed changes regarding landscaping and dumpster screening.

Sasson said the subcommittee discussed the changes and thought the items were "no brainers."

Lundquist commented none of the items seemed controversial and they made sense.

9. Consideration and possible action regarding possible amendments to Appendix B, Subdivision Ordinance, Section IV. Parkland Dedication, f. Additional Requirements

Motion to approve: Banfield
Second: Clark
Vote: 7 to 0 Unanimous **Motion Passed**

Summers said the proposed language would specify a maximum of twenty percent impervious cover in parks unless otherwise approved by the City. She said the change would gain the City five points on the Scenic City application. Summers said the current ranking of Friendswood was Bronze level and with all the proposed ordinance changes, the City could qualify for not only Silver level but most likely Gold level.

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

Harbin said the next regular meeting date was Thursday, January 17th. She said there would be a Joint Public Hearing on February 4th to discuss the ordinance changes for the Scenic City application.

11. Communications

a. Commissioners – none.

b. Ordinance Subcommitte – Sasson said the subcommittee would be bringing for discussion changes to public hearing schedules. He said the other item to think about was changing meeting days from Thursdays to Mondays.

c. Planning Subcommitte – No comments.

d. Downtown District Subcommittee – Matranga said they had one more meeting before bringing items to the Commission.

e. Council Liaison – Branson said tonight's agenda was like Christmas for her with lots of subjects near and dear to her.

f. Staff – No comments.

12. The meeting was adjourned at 8:31pm.

These minutes respectfully submitted by:

Becky Summers

Becky Summers
Development Coordinator/P&Z Secretary

Howard Subdivision Partial Replat No. 2

1. Compliance Memo
2. Howard Sub Replat Page 1
3. Howard Sub Replat Page 2

City of Friendswood

Memo

To: Planning and Zoning Commission

From: Becky Summers, Development Coordinator

Date: January 11, 2019

Re: Howard Subdivision Partial Replat No. 2

Project Description: To create commercial reserves.

The plan has been reviewed by staff in the following departments: Planning, Public Works/Engineering, Fire Marshal, and Police Department. The proposed project appears to be in compliance with current City codes with the following exception:

1) Water line easement to include place holder for separate instrument recording
2) Update year on signature blocks

The plan is subject to review and approval by the Planning and Zoning Commission.

STATE OF TEXAS :
COUNTY OF GALVESTON:

We, Leisure Lane LLC, a Texas limited liability company, acting by and through James E. Peterson, Manager, and Friendswood Detention Reserve Association, a Texas unincorporated non-profit association; Owners; hereinafter referred to as Owners of the 13.5989 acre tract described in the above and foregoing map of HOWARD SUBDIVISION PARTIAL REPLAT NO 2, do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions, and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever an unobstructed aerial easements above the ground level upward, to all public utility easements shown hereon.

IN TESTIMONY WHEREOF THE, Leisure Lane LLC, a Texas limited liability company, acting by and through James E. Peterson, Manager, thereunto authorized, this _____ day of ______________________, 201~~8~~9.

Leisure Lane LLC, a Texas limited liability company

By: ________________________________
James E. Peterson, Manager

STATE OF TEXAS:
COUNTY OF ____________________________:

BEFORE ME, the undersigned authority, on this day personally appeared James E. Peterson, Manager of Leisure Lane LLC, a Texas limited liability company, 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 considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said entity.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ______ day of ____________________, 201~~8~~9.

Notary Public in and for the State of Texas

My Commission Expires _______________.

____
Notary Public

IN TESTIMONY WHEREOF THE, Friendswood Detention Reserve Association, a Texas unincorporated non-profit association, acting by and through ______________________, Manager, thereunto authorized, this _____ day of ______________________, 201~~8~~9.

Friendswood Detention Reserve Association, a Texas unincorporated non-profit association

By: ________________________________ ________________________________
Signature Print Name and Title

STATE OF TEXAS:
COUNTY OF ____________________________:

BEFORE ME, the undersigned authority, on this day personally appeared ___________________________, Manager of Friendswood Detention Reserve Association, a Texas unincorporated non-profit association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said entity.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ______ day of ____________________, 201~~8~~9.

Notary Public in and for the State of Texas

My Commission Expires _______________.

____
Notary Public

STATE OF ____________________:

COUNTY OF ______________________________:

We, Hometown Bank, National Association, owner and holder of a lien against the property described in the plat known as HOWARD SUBDIVISION PARTIAL REPLAT NO 2, said lien being evidenced by instrument of record in Galveston County County Clerk's File Nos. 2017037303, 2017029384, 2017029385, 2017037504, 2017037505, 2018019386, 2018019486, 2018019487, 2018019488, 2018019489, 2018064395, 2018063231, 2018063232, and 2018069071, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and we hereby confirm that we are the present owners of said lien and have not assigned the same nor any part thereof.

By: ________________________________ Attest: ________________________________
Signature Signature

________________________________ ________________________________
Print Name & Title Print Name & Title

STATE OF ____________________:

COUNTY OF __________________________:

BEFORE ME, the undersigned authority, on this day personally appeared ______________________________, ______________________________, and ______________________________, ______________________________, of Hometown Bank, National Association, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations thereinein expressed and in the capacity therein and herein stated, and as the act and deed of said banking association.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ______ day of ________________, 201~~8~~9.

Notary Public in and for the State of Texas

My Commission Expires: ______________

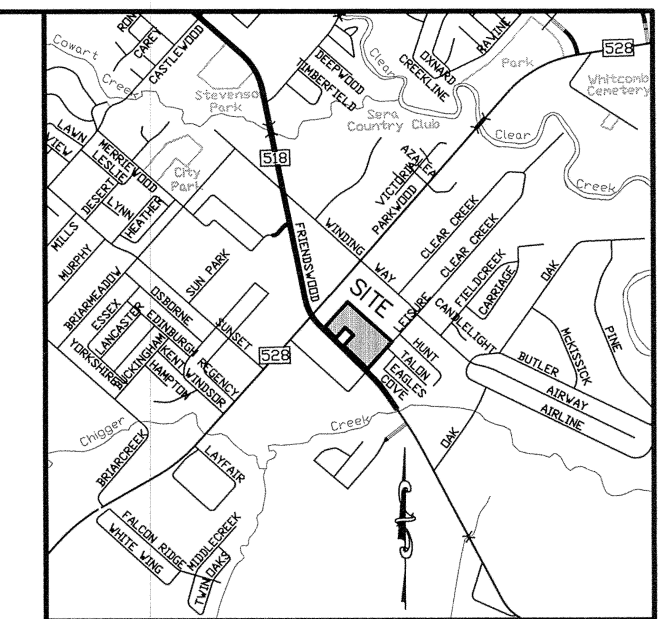
____
Notary

This is to certify that the Planning and Zoning Commission of the City of Friendswood, Texas, has approved this plat and subdivision of HOWARD SUBDIVISION PARTIAL REPLAT NO 2, in conformance with the existing rules and regulations of the City as adopted by the City Council and authorized the recording of this plat this _______ day of __________________, 201~~8~~9.

BY: ________________________________ BY: ____________________________
Becky Summers, Development Coordinator Joe Matranga, Chairman

I, Patrick G. Donart, P.E., City Engineer and Director of Public Works of the City of Friendswood, Texas, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the City of Friendswood, Texas and further it complies with all of the ordinances as currently adopted by City Council.

By: ____
Patrick G. Donart, P.E., CFM, City Engineer/Director of Public Works



VICINITY MAP
SCALE: 1" = 1/2 MILE

KEYMAP
657 J

APPROVED BY THE GALVESTON COUNTY CONSOLIDATED DRAINAGE DISTRICT

________________________________ DIRECTOR ______________ DATE

________________________________ DIRECTOR ______________ DATE

The approval granted by these signatures ~~does not~~ constitute the District's approval for the granting of any construction or building permits. This preliminary approval shall expire in six (6) months.

STATE OF TEXAS :
COUNTY OF GALVESTON:

I, Dwight D. Sullivan, Clerk of the County of Galveston County, Texas, do hereby certify that the written instrument with its certificate and authentication was filed for record in my office on ______________________, 201~~8~~9, at ___________.m. o'clock and duly recorded on ______________________, 201~~8~~9, ___________.m. o'clock, and in Instrument # ____________________, of the Galveston County Map Records.

WITNESS MY HAND AND SEAL OF OFFICE, at Galveston, Texas, the day and date last above written.

By: ________________________
Dwight D. Sullivan
Clerk of the County Court
Galveston County, Texas

By: ____________________
Deputy

NOTES:

1.) SIDEWALKS AND ADA RAMPS ARE REQUIRED ALONG ALL CURB AND GUTTER STREETS PER THE APPROVED SIDEWALK ACCESSIBILITY PLAN. THE DEVELOPER MUST INSTALL SIDEWALKS AND ADA RAMPS ALONG RESERVES AND COMMON AREAS PRIOR TO THE CITY COUNCIL'S ACCEPTANCE OF THE SUBDIVISION INFRASTRUCTURE. WHEN SIDEWALKS ARE REQUIRED THEY SHALL BE A WIDTH OF NO LESS THAN FOUR FEET AND COMPLY WITH FEDERAL, STATE, AND LOCAL REQUIREMENTS.

2.) NO RESIDENTIAL, COMMERCIAL OR INDUSTRIAL STRUCTURE SHALL BE PERMITTED TO BE BUILT NEARER THAN 150 FEET FROM ANY WELL OR RELATED FACILITY, OTHER THAN STRUCTURES NECESSARY TO OPERATE THE WELL OR FACILITY.

3.) EXCEPT FOR LOW-PRESSURE DISTRIBUTION SYSTEM PIPELINES AS DEFINED IN CHAPTER 26, OF THE FRIENDSWOOD CITY CODE, NO RESIDENTIAL, COMMERCIAL OR INDUSTRIAL STRUCTURE SHALL BE ERECTED OR MOVED TO A LOCATION NEARER THAN 50 FEET TO ANY PIPELINE, OTHER THAN STRUCTURES NECESSARY TO OPERATE THE PIPELINE.

4.) THE CITY OF FRIENDSWOOD SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS (DRIVEWAYS, SIDEWALKS, AND EMERGENCY ACCESS EASEMENTS), WATERLINES, SANITARY SEWER LINES, STORM SEWER FACILITIES (DETENTION PONDS, DRAINAGE EASEMENTS, OUTFALLS AND SWALES), RECREATIONAL AREAS, RESERVES AND OTHER PRIVATE FACILITIES THAT ARE WITHIN PRIVATE EASEMENTS; FRIENDSWOOD DETENTION RESERVE ASSOCIATION SHALL BE RESPONSIBLE FOR THESE ITEMS. THE CITY OF FRIENDSWOOD SHALL BE RESPONSIBLE FOR MAINTENANCE OF PUBLIC STREETS, SIDEWALKS, STREET SIGNS, WATERLINES, SANITARY SEWER LINES, STORM SEWER FACILITIES, DRAINAGE EASEMENTS, OUTFALLS AND SWALES THAT ARE WITHIN THE PUBLIC RIGHT-OF-WAY OR WITHIN PUBLIC AND\OR EXCLUSIVE EASEMENTS. THE MAINTENANCE OF STREET LIGHTS SHALL BE THE RESPONSIBILITY OF ~~EITHER~~ TEXAS NEW MEXICO POWER.

5.) ALL UTILITY COMPANIES HAVE BEEN CONTACTED AND THE EASEMENTS SHOWN ON THE PLAT CONSTITUTE ALL OF THE EASEMENTS REQUIRED BY THE UTILITY COMPANIES FOR THEIR OPERATIONS.

6. THE FINISHED FLOOR ELEVATIONS OF ALL STRUCTURES SHALL BE LOCATED ABOVE THE BASE FLOOD ELEVATION ESTABLISHED BY FEMA, AND AS PRESCRIBED IN THE FLOOD DAMAGE PREVENTION ORDINANCE OF THE CITY OF FRIENDSWOOD, TEXAS.

7. ANY AND ALL RIGHT OF WAY ISLANDS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT, EVEN IF NOT SHOWN ON THE FACE OF THE PLAT, SHALL BE MAINTAINED BY THE PROPERTY OWNER.

8.) SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS IN RESTRICTIONS RECORDED IN COUNTY CLERK'S FILE NO. 2017058432 OF THE MAP RECORDS OF GALVESTON COUNTY, TEXAS.

9.) SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS OF EASEMENTS AND RESTRICTIONS RECORDED IN COUNTY CLERK'S FILE NOS. 9416478, 2018046832, AND 2018061651 OF THE DEED RECORDS OF GALVESTON COUNTY, TEXAS.

10.) SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS IN RECIPROCAL ACCESS EASEMENT AGREEMENT RECORDED IN COUNTY CLERK'S FILE NO. 2018051176 OF THE DEED RECORDS OF GALVESTON COUNTY, TEXAS.

G.C.C.D.D. NOTES:

1. BUILDINGS, FENCES OR OTHER STRUCTURES SHALL NOT BE ERECTED IN GALVESTON COUNTY CONSOLIDATED DRAINAGE DISTRICT (THE DISTRICT) RIGHT-OF-WAYS OR DRAINAGE EASEMENTS. FURTHERMORE, NO PERMANENT IMPROVEMENTS INCLUDING LANDSCAPING, PAVING, TREES, SPRINKLERS, UTILITIES, PLAYGROUND EQUIPMENT, PARK BENCHES, TABLES, SPORT FIELDS, PIERS, OR SIDEWALKS SHALL BE CONSTRUCTED WITHIN SAID RIGHT-OF-WAYS OR DRAINAGE EASEMENTS WITHOUT THE APPROVAL OF THE DISTRICT.

2. THE DETENTION AND DRAINAGE FACILITIES ARE TO BE MAINTAINED BY THE PROPERTY OWNER.

3. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THIS SUBDIVISION UNTIL A DETENTION AND DRAINAGE PLAN HAS BEEN APPROVED BY THE GALVESTON COUNTY CONSOLIDATED DRAINAGE DISTRICT.

4. ADDITIONAL DRAINAGE EASEMENTS MAY BE REQUIRED AT THE TIME A DRAINAGE PLAN IS SUBMITTED TO THE GALVESTON COUNTY CONSOLIDATED DRAINAGE DISTRICT FOR APPROVAL.

5. PLANTINGS, FLOWERBEDS OR OTHER LANDSCAPING IS NOT PERMITTED WITHIN SIDE LOT DRAINAGE OR DETENTION EASEMENTS.

6. NO BUILDING PERMIT SHALL BE APPLIED FOR UNTIL ALL DRAINAGE AND DETENTION FACILITIES ARE CONSTRUCTED, INSPECTED AN APPROVED BY THE DISTRICT.

7. NO PERMANENT IMPROVEMENTS INCLUDING LANDSCAPING, PAVING, TREES, SPRINKLERS, UTILITIES, PLAYGROUND EQUIPMENT, PARK BENCHES, TABLES, SPORT FIELDS, PIERS, OR SIDEWALKS SHALL BE CONSTRUCTED WITHIN THE DETENTION FACILITY WITHOUT THE APPROVAL OF THE DISTRICT.

I, Brian Nesvadba, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that all bearings, distances, and other associated boundary information on the above referenced subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown, all boundary corners, angle points, points of curvature and other points of reference have been marked with iron rods having an outside diameter of five-eighths (5/8) inch and a length of three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.

____
Brian Nesvadba, R.P.L.S.
Texas Registration No. 5776

STATE OF TEXAS
REGISTERED
BRIAN NESVADBA
5776
PROFESSIONAL
LAND SURVEYOR

REASON FOR REPLAT

TO COMBINE RESERVES "B" AND "D", SPLIT UP RESERVE "E" INTO TWO RESERVES, AND SPLIT RESERVE "A" INTO TWO RESERVES.

HOWARD SUBDIVISION PARTIAL REPLAT NO 2

A SUBDIVISION OF A 13.5989 ACRE TRACT OF LAND BEING A REPLAT OF RESERVES A, B, D, E, AND F, BLOCK 1, PARTIAL REPLAT HOWARD SUBDIVISION (PLAT NO. 2017058432) IN THE SARAH MCKISSIK LEAGUE, ABSTRACT NO. 151, CITY OF FRIENDSWOOD, GALVESTON COUNTY, TEXAS

6 RESERVES 1 BLOCK

~ OWNERS ~

LEISURE LANE LLC
a Texas Limited Liabilty Company
James Peterson, Manager
407 S. Friendswood Drive
Friendswood, Texas 77546
PHONE: 281.992.9766

FRIENDSWOOD DETENTION RESERVE ASSOCIATION
a Texas unicorporated non-profit association
1419 Lomax School Road
La Porte, Texas, 77571
PHONE: 713.456.0420

~ SURVEYOR ~

TEXAS ENGINEERING AND MAPPING COMPANY
12718 Century Drive
Stafford, Texas 77477
PHONE: 281.491.2525 FAX: 281.491.2535
SURVEYING FIRM NO. 10119000 / ENGINEERING FIRM NO. F-2906
www.team-civil.com
Job No. 487-28
JANUARY 4, 2019

SHEET 1 OF 2

Planning
Public Works
1/07/19

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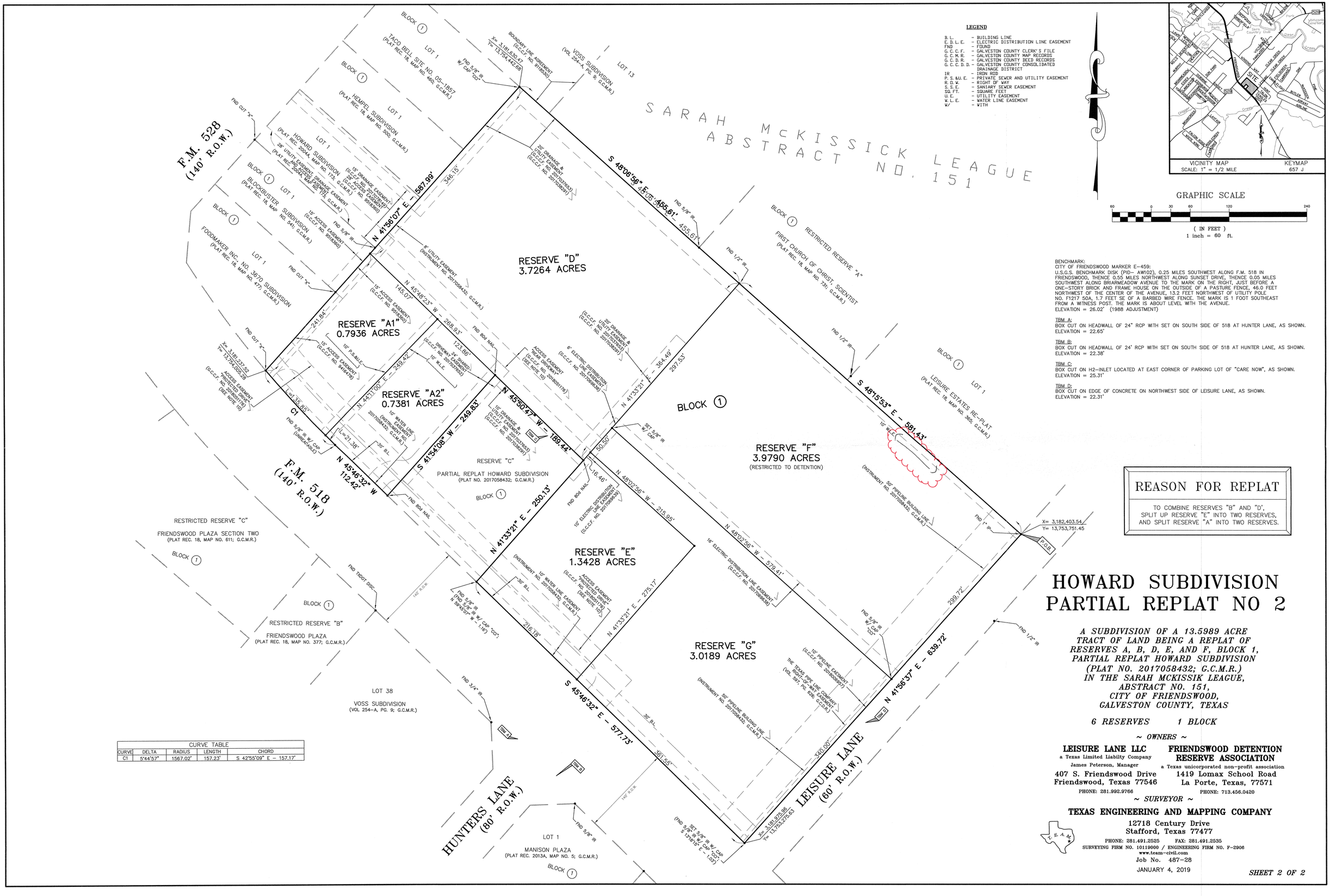


LEGEND

B.L.	– BUILDING LINE
E.D.L.E.	– ELECTRIC DISTRIBUTION LINE EASEMENT
FND	– FOUND
G.C.C.F.	– GALVESTON COUNTY CLERK'S FILE
G.C.M.R.	– GALVESTON COUNTY MAP RECORDS
G.C.D.R.	– GALVESTON COUNTY DEED RECORDS
G.C.C.D.D.	– GALVESTON COUNTY CONSOLIDATED DRAINAGE DISTRICT
IR	– IRON ROD
P.S.&U.E.	– PRIVATE SEWER AND UTILITY EASEMENT
R.O.W.	– RIGHT OF WAY
S.S.E.	– SANITARY SEWER EASEMENT
SQ. FT.	– SQUARE FEET
U.E.	– UTILITY EASEMENT
W.L.E.	– WATER LINE EASEMENT
W/	– WITH

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

BENCHMARK:
CITY OF FRIENDSWOOD MARKER E-459:
U.S.G.S. BENCHMARK DISK (PID- AW102), 0.25 MILES SOUTHWEST ALONG F.M. 518 IN FRIENDSWOOD, THENCE 0.55 MILES NORTHWEST ALONG SUNSET DRIVE, THENCE 0.05 MILES SOUTHWEST ALONG BRIARMEADOW AVENUE TO THE MARK ON THE RIGHT, JUST BEFORE A ONE-STORY BRICK AND FRAME HOUSE ON THE OUTSIDE OF A PASTURE FENCE, 46.0 FEET NORTHWEST OF THE CENTER OF THE AVENUE, 13.2 FEET NORTHWEST OF UTILITY POLE NO. F1217 50A, 1.7 FEET SE OF A BARBED WIRE FENCE. THE MARK IS 1 FOOT SOUTHEAST FROM A WITNESS POST. THE MARK IS ABOUT LEVEL WITH THE AVENUE.
ELEVATION = 26.02' (1988 ADJUSTMENT)

TBM A:
BOX CUT ON HEADWALL OF 24" RCP WITH SET ON SOUTH SIDE OF 518 AT HUNTER LANE, AS SHOWN.
ELEVATION = 22.65'

TBM B:
BOX CUT ON HEADWALL OF 24' RCP WITH SET ON SOUTH SIDE OF 518 AT HUNTER LANE, AS SHOWN.
ELEVATION = 22.38'

TBM C:
BOX CUT ON H2-INLET LOCATED AT EAST CORNER OF PARKING LOT OF "CARE NOW", AS SHOWN.
ELEVATION = 25.31'

TBM D:
BOX CUT ON EDGE OF CONCRETE ON NORTHWEST SIDE OF LEISURE LANE, AS SHOWN.
ELEVATION = 22.31'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	5°44'57"	1567.02'	157.23'	S 42°55'09" E – 157.17'

REASON FOR REPLAT

TO COMBINE RESERVES "B" AND "D", SPLIT UP RESERVE "E" INTO TWO RESERVES, AND SPLIT RESERVE "A" INTO TWO RESERVES.

HOWARD SUBDIVISION PARTIAL REPLAT NO 2

A SUBDIVISION OF A 13.5989 ACRE TRACT OF LAND BEING A REPLAT OF RESERVES A, B, D, E, AND F, BLOCK 1, PARTIAL REPLAT HOWARD SUBDIVISION (PLAT NO. 2017058432; G.C.M.R.) IN THE SARAH MCKISSIK LEAGUE, ABSTRACT NO. 151, CITY OF FRIENDSWOOD, GALVESTON COUNTY, TEXAS

6 RESERVES 1 BLOCK

~ OWNERS ~

LEISURE LANE LLC
a Texas Limited Liabilty Company
James Peterson, Manager
407 S. Friendswood Drive
Friendswood, Texas 77546
PHONE: 281.992.9766

FRIENDSWOOD DETENTION RESERVE ASSOCIATION
a Texas unincorporated non-profit association
1419 Lomax School Road
La Porte, Texas, 77571
PHONE: 713.456.0420

~ SURVEYOR ~

TEXAS ENGINEERING AND MAPPING COMPANY
12718 Century Drive
Stafford, Texas 77477
PHONE: 281.491.2525 FAX: 281.491.2535
SURVEYING FIRM NO. 10119000 / ENGINEERING FIRM NO. F-2906
www.team-civil.com

Job No. 487-28
JANUARY 4, 2019

DRAWING INFO: Z:\Job#\487-28\dwg\487-28_P1_R3.dwg JAN 04, 2019 3:54 PM

FRIENDSWOOD PLANNING & ZONING COMMISSION
AGENDA ITEM FORM

Subject: Joint Public Hearings vs. Separate Public Hearings

Current Ordinance/Requirement:

Local Government Code Chapter 211 – allows a municipality to choose either option; choice is adopted by ordinance
City Ordinances require Joint Public Hearings:
Code of Ordinances - Chapter 70-25. Vacation of street, drainage, utility or other public easement.
Code of Ordinances - Appendix C, Zoning Ordinance – Section 15. Amendments.

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 expedited process, including City Council meeting once a month rather than twice and having a city attorney on staff. Up until 2012, City Council met twice a month, similar to Planning and Zoning, which allowed ordinances to move through the process more quickly. 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. Currently, on JPH nights, the Commission has no legal representative to attend their meetings upstairs.

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 the Chairman to present the Commission's recommendation to City Council.

Cons:

- Increased time frame for applicants by an average of 23 days.
- Requires staff and applicants to return on another meeting day.

RECOMMENDATIONS

None at this time.

ATTACHMENTS

Schedule JPH vs separate PH
List of Pros and Cons
Joint Public Hearing Flow Chart
Separate Public Hearing Flow Chart
Local Government Code Chapter 212
City of Friendswood Appendix C, Zoning Ordinance Section 15
City of Friendswood Code of Ordinances Chapter 70

CURRENT SCHEDULE WITH JOINT PUBLIC HEARINGS

Submittal Deadline (Monday typically)	City Council Meeting Date (JPH and 1st Reading)	City Council Meeting Date (2nd reading)	Total Days
December 3, 2018	January 14, 2019	February 4, 2019	61
December 31, 2018	February 4, 2019	March 4, 2019	64
January 28, 2019	March 4, 2019	April 1, 2019	63
February 25, 2019	April 1, 2019	May 6, 2019	71
April 1, 2019	May 6, 2019	June 3, 2019	62
April 29, 2019	June 3, 2019	July 1, 2019	62
May 24, 2019	July 1, 2019	August 5, 2019	71
July 1, 2019	August 5, 2019	September 9, 2019	68
August 5, 2019	September 9, 2019	October 7, 2019	62
August 30, 2019	October 7, 2019	November 4, 2019	64
September 30, 2019	November 4, 2019	December 2, 2019	62
October 28, 2019	December 2, 2019	January 6, 2020	68
		Average	**65**

PROPOSED SCHEDULE WITH SEPARATE PUBLIC HEARINGS

Submittal Deadline (Thursday typically)	P & Z Meeting Date (Public Hearing)	City Council Meeting Date (Public Hearing & 1st Reading)	City Council Meeting Date (2nd Reading)	Total Days
November 1, 2018	December 6, 2018	January 14, 2019	February 4, 2019	93
December 6, 2018	January 3, 2019	February 4, 2019	March 4, 2019	88
January 3, 2019	February 7, 2019	March 4, 2019	April 1, 2019	88
February 7, 2019	March 7, 2019	April 1, 2019	May 6, 2019	89
March 7, 2019	April 4, 2019	May 6, 2019	June 3, 2019	86
April 4, 2019	May 2, 2019	June 3, 2019	July 1, 2019	87
May 2, 2019	June 6, 2019	July 1, 2019	August 5, 2019	93
June 6, 2019	July 4, 2019	August 5, 2019	September 9, 2019	93
July 4, 2019	August 1, 2019	September 9, 2019	October 7, 2019	93
August 1, 2019	September 5, 2019	October 7, 2019	November 4, 2019	93
September 5, 2019	October 3, 2019	November 4, 2019	December 2, 2019	87
October 3, 2019	November 7, 2019	December 2, 2019	January 6, 2020	93
			Average	**90**

Planning and Zoning Commission
Ordinance Subcommittee

Public Hearings Schedule

Recommendation: To hold two separate public hearings with the Planning and Zoning Commission and City Council instead of a single joint public hearing.

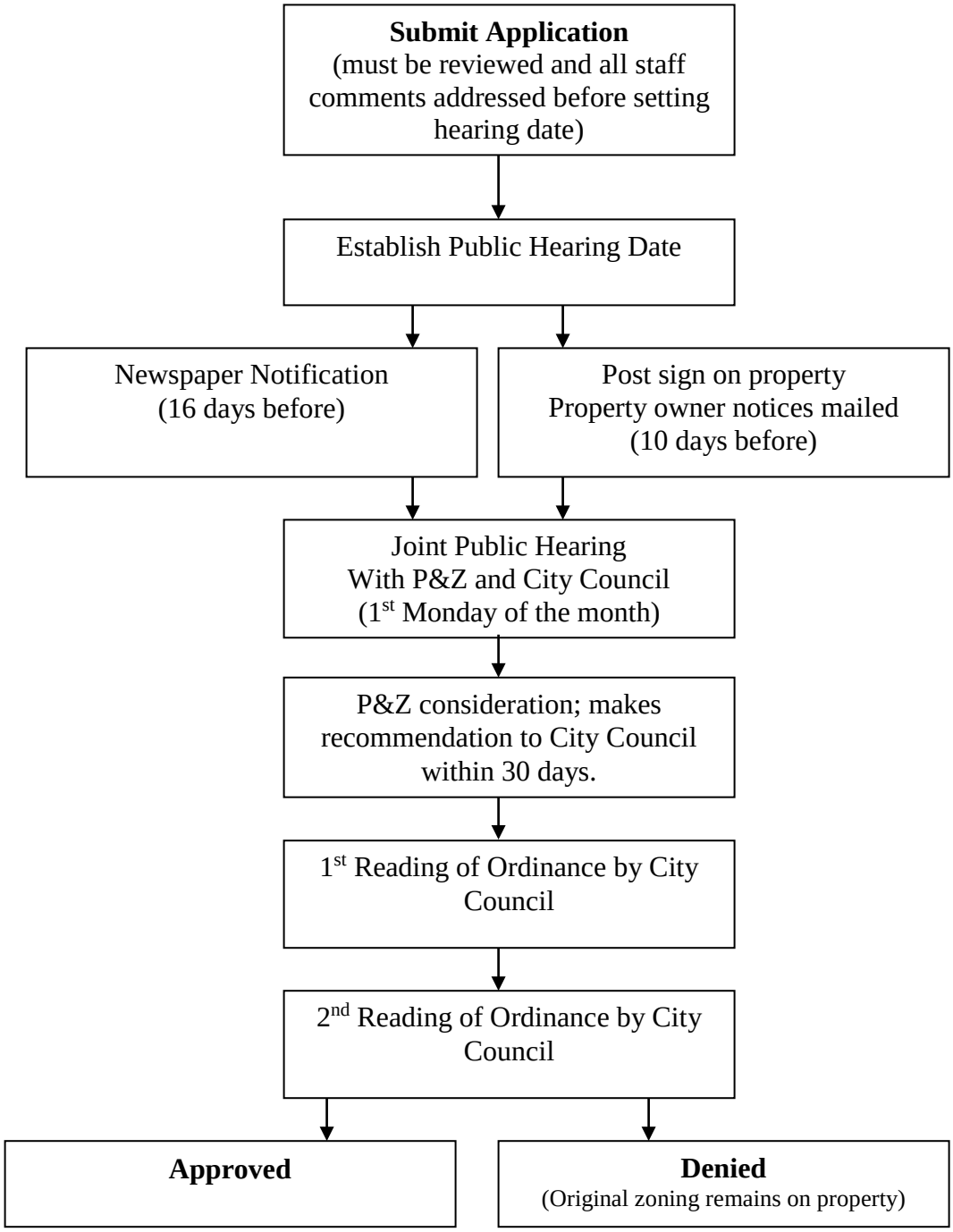
PROS	CONS
Allows the presence of legal counsel.	Increased time frame for applicants by an average of 23 days
All meetings would be recorded and televised.	Requires staff and applicants to return on a different day.
Council Chambers provides a formal setting and accommodates more attendees.	
A regular scheduled meeting date is less confusing for applicants.	
A regular scheduled meeting date helps Commissioners and Staff with scheduling.	
Allows the Chairman to present the Commission's recommendation to City Council.	

Data: Current time frame for projects averages 64 days. The proposed change would increase the time frame to an average of 87 days.

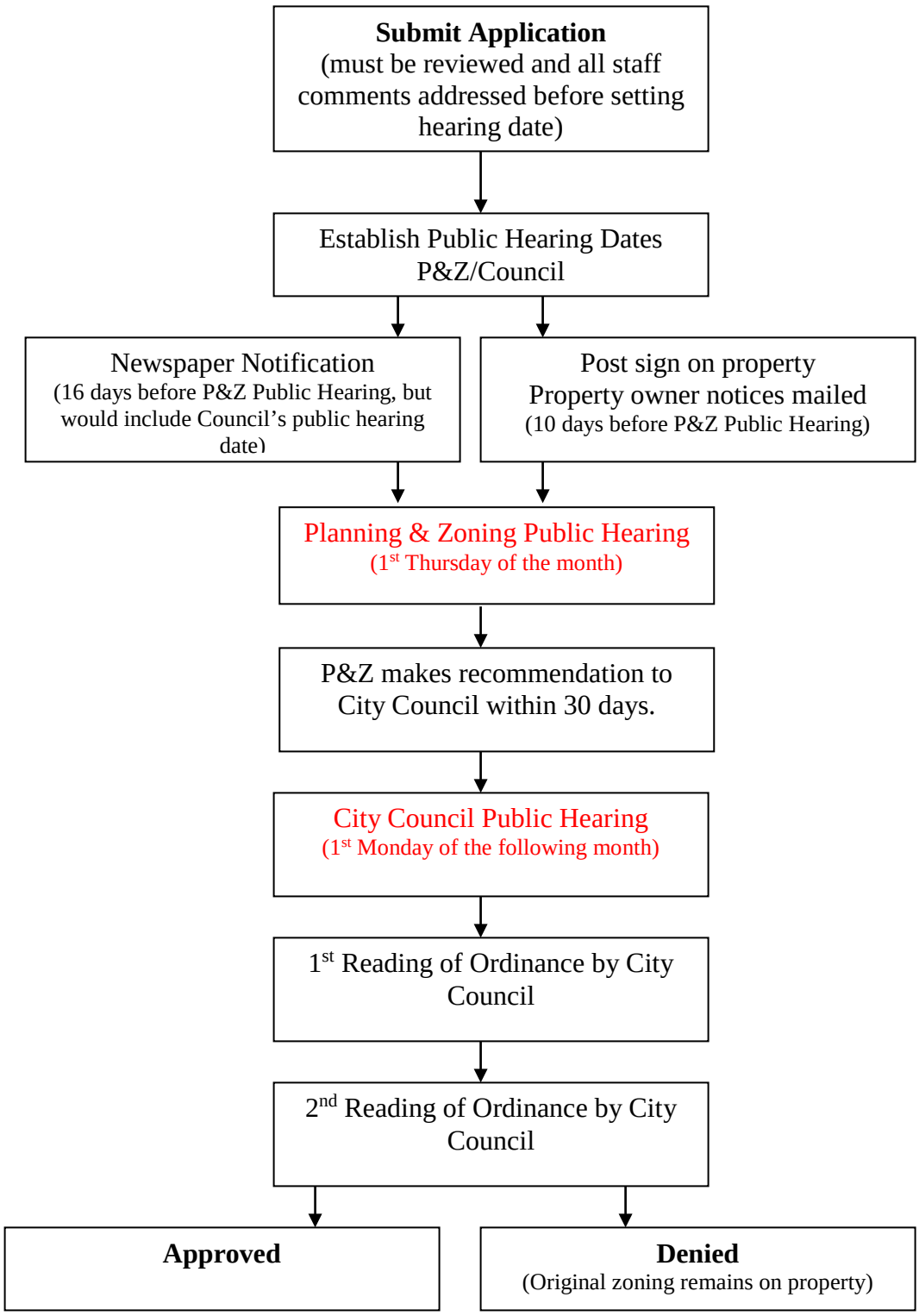
City	Joint Public Hearing	Council Meetings	PZ Meetings	Zone Change Process
League City	No	2 x Month	2 x Month	90-120 days
Pearland	Yes	2 x Month	2 x Month	90 days
Missouri City	No	2 x Month	1 x Month	60 days
Frisco	No	1 x Month	2 x Month	105 days
Webster	No	2 x Month	2 x Month	60 days
Friendswood	**Yes**	**1 x Month**	**2 x Month**	**60-90 days**

Conclusion: Based on data from surrounding cities, increasing the time frame for items that require public hearings is not overly burdensome to applicants. The Commission finds the pros outweigh the cons.

Zone Change Process – Joint Public Hearing



Zone Changes – Separate Public Hearings



LOCAL GOVERNMENT CODE

TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES

SUBTITLE A. MUNICIPAL REGULATORY AUTHORITY

CHAPTER 211. MUNICIPAL ZONING AUTHORITY

SUBCHAPTER A. GENERAL ZONING REGULATIONS

Sec. 211.001. PURPOSE. The powers granted under this subchapter are for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.002. ADOPTION OF REGULATION OR BOUNDARY INCLUDES AMENDMENT OR OTHER CHANGE. A reference in this subchapter to the adoption of a zoning regulation or a zoning district boundary includes the amendment, repeal, or other change of a regulation or boundary.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.003. ZONING REGULATIONS GENERALLY. (a) The governing body of a municipality may regulate:

(1) the height, number of stories, and size of buildings and other structures;

(2) the percentage of a lot that may be occupied;

(3) the size of yards, courts, and other open spaces;

(4) population density;

(5) the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

(6) the pumping, extraction, and use of groundwater by persons other than retail public utilities, as defined by Section

13.002, Water Code, for the purpose of preventing the use or contact with groundwater that presents an actual or potential threat to human health.

(b) In the case of designated places and areas of historical, cultural, or architectural importance and significance, the governing body of a municipality may regulate the construction, reconstruction, alteration, or razing of buildings and other structures.

(c) The governing body of a home-rule municipality may also regulate the bulk of buildings.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 2003, 78th Leg., ch. 731, Sec. 2, eff. Sept. 1, 2003.

Sec. 211.0035. ZONING REGULATIONS AND DISTRICT BOUNDARIES APPLICABLE TO PAWNSHOPS. (a) In this section, "pawnshop" has the meaning assigned by Section 371.003, Finance Code.

(b) For the purposes of zoning regulation and determination of zoning district boundaries, the governing body of a municipality shall designate pawnshops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code, as a permitted use in one or more zoning classifications.

(c) The governing body of a municipality may not impose a specific use permit requirement or any requirement similar in effect to a specific use permit requirement on a pawnshop that has been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code.

Added by Acts 1991, 72nd Leg., ch. 687, Sec. 18, eff. Sept. 1, 1991. Amended by Acts 1999, 76th Leg., ch. 62, Sec. 7.81, eff. Sept. 1, 1999.

Sec. 211.004. COMPLIANCE WITH COMPREHENSIVE PLAN. (a) Zoning regulations must be adopted in accordance with a comprehensive plan and must be designed to:

(1) lessen congestion in the streets;

(2) secure safety from fire, panic, and other dangers;

(3) promote health and the general welfare;

(4) provide adequate light and air;

(5) prevent the overcrowding of land;

(6) avoid undue concentration of population; or

(7) facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

(b) Repealed by Acts 1997, 75th Leg., ch. 459, Sec. 2, eff. Sept. 1, 1997.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 458, Sec. 1, eff. Aug. 28, 1989; Acts 1997, 75th Leg., ch. 459, Sec. 2, eff. Sept. 1, 1997.

Sec. 211.005. DISTRICTS. (a) The governing body of a municipality may divide the municipality into districts of a number, shape, and size the governing body considers best for carrying out this subchapter. Within each district, the governing body may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land.

(b) Zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district. The regulations shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.006. PROCEDURES GOVERNING ADOPTION OF ZONING REGULATIONS AND DISTRICT BOUNDARIES. (a) The governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district boundaries shall establish procedures for adopting and enforcing the regulations and boundaries. A regulation or boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be

published in an official newspaper or a newspaper of general circulation in the municipality.

(b) In addition to the notice required by Subsection (a), a general-law municipality that does not have a zoning commission shall give notice of a proposed change in a zoning classification to each property owner who would be entitled to notice under Section 211.007 (c) if the municipality had a zoning commission. That notice must be given in the same manner as required for notice to property owners under Section 211.007(c). The governing body may not adopt the proposed change until after the 30th day after the date the notice required by this subsection is given.

(c) If the governing body of a home-rule municipality conducts a hearing under Subsection (a), the governing body may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing. Notice requirements prescribed under this subsection are in addition to the publication of notice required by Subsection (a).

(d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

(1) the area of the lots or land covered by the proposed change; or

(2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

(e) In computing the percentage of land area under Subsection (d), the area of streets and alleys shall be included.

(f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.007. ZONING COMMISSION. (a) To exercise the powers authorized by this subchapter, the governing body of a home-rule municipality shall, and the governing body of a general-law municipality may, appoint a zoning commission. The commission shall recommend boundaries for the original zoning districts and appropriate zoning regulations for each district. If the municipality has a municipal planning commission at the time of implementation of this subchapter, the governing body may appoint that commission to serve as the zoning commission.

(b) The zoning commission shall make a preliminary report and hold public hearings on that report before submitting a final report to the governing body. The governing body may not hold a public hearing until it receives the final report of the zoning commission unless the governing body by ordinance provides that a public hearing is to be held, after the notice required by Section 211.006(a), jointly with a public hearing required to be held by the zoning commission. In either case, the governing body may not take action on the matter until it receives the final report of the zoning commission.

(c) Before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail. If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the notice shall be given in the manner provided by Section 211.006(a).

(c-1) Before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification affecting residential or multifamily zoning shall be sent to each school district in which the property for which the change in classification is proposed is located. The notice may be served by its deposit in the

municipality, properly addressed with postage paid, in the United States mail.

(c-2) Subsection (c-1) does not apply to a municipality the majority of which is located in a county with a population of 100,000 or less, except that such a municipality must give notice under Subsection (c-1) to a school district that has territory in the municipality and requests the notice. For purposes of this subsection, if a school district makes a request for notice under Subsection (c-1), the municipality must give notice of each public hearing held following the request unless the school district requests that no further notices under Subsection (c-1) be given to the school district.

(d) The governing body of a home-rule municipality may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of a public hearing held jointly by the governing body and the zoning commission. If notice requirements are prescribed under this subsection, the notice requirements prescribed by Subsections (b) and (c) and by Section 211.006(a) do not apply.

(e) If a general-law municipality exercises zoning authority without the appointment of a zoning commission, any reference in a law to a municipal zoning commission or planning commission means the governing body of the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.
Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 640 (H.B. 674), Sec. 1, eff. September 1, 2013.

Sec. 211.0075. COMPLIANCE WITH OPEN MEETINGS LAW. A board or commission established by an ordinance or resolution adopted by the governing body of a municipality to assist the governing body in developing an initial comprehensive zoning plan or initial zoning regulations for the municipality, or a committee of the board or commission that includes one or more members of the board or commission, is subject to Chapter 551, Government Code, regardless of whether the board, commission, or committee has rulemaking or quasi-judicial powers or functions only in an advisory capacity.

Zoning Ordinance
Section 15. - Amendments.

A. *Authority.* The city 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 planning 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 planning and zoning commission for its recommendation and report. The planning 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 planning and zoning commission shall jointly hold a public hearing 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 15, shall not be acted upon by such commission until the conclusion of such joint public hearing.

D. *Notice of joint 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 ten days prior to the date on which such hearing is to be held.

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 15 days 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 included in such proposed change 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 favorite vote of three-fourths of all members of city council.

Code of Ordinances

Sec. 70-25. - Vacation of street, drainage, utility or other public easement.

(a) The city council will provide for the vacation, abandonment or relocation of an existing road/street right-of-way, or any drainage, utility or other public easement, upon satisfaction of the following 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 community development 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.

(b) Upon receipt of all information, the city shall schedule a joint public hearing 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 is granted, an ordinance and quitclaim deed will be prepared (ordinances must be heard in accordance with the city 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 city'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 city'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.

FRIENDSWOOD PLANNING & ZONING COMMISSION
AGENDA ITEM FORM

Subject: Change Meeting Days

Current Ordinance/Requirement:

Resolution 2010-09

SUMMARY / ORIGINATING CAUSE

This was an idea and discussion that began with previous Commissioners to try and make scheduling easier for Commissioners. The thought was that if all meetings were held on Mondays, the Commission would not have to reschedule the first meeting of the month when needed to meet with Council for Joint Public Hearings and Joint Work Sessions.

If the decision to change from joint public hearings to separate public hearings is made, this would be less necessary. It would then just be a preference of the Commissioners. It may still be necessary to meet with City Council on occasion, so having all city related meetings on Mondays might be beneficial for scheduling purposes.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

None at this time.

RECOMMENDATIONS

None at this time.

ATTACHMENTS

Resolution 2010-09

RESOLUTION NO. R2010-09

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. R2002-55.

* * * * *

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 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. R2002-55 is hereby repealed.

ADOPTED by the Planning and Zoning Commission of the City of Friendswood on this the 1st day of February, 2010.

Kevin Holland, Chairman
Planning & Zoning Commission

ATTEST:

Aubrey Harbin, Development Specialist
Planning & Zoning Commission

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PASSED, APPROVED, AND RESOLVED by City Council this the 1st day of February, 2010.

David J. H. Smith
Mayor

ATTEST:

Deloris McKenzie, TRMC
City Secretary

CITY OF FRIENDSWOOD
STATE OF TEXAS

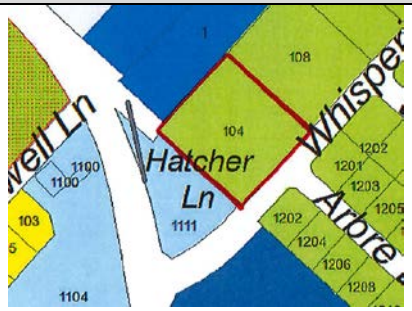
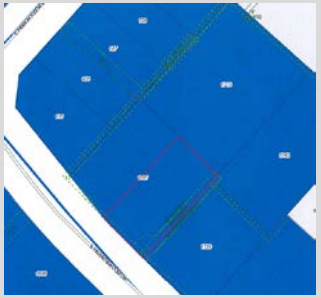
City of Friendswood

Community Development Department

Memo

To: Planning & Zoning Commission
From: Aubrey Harbin, Director of Community Development/Planner
Date: January 15, 2019
Re: DRC Report

The following DRC Meetings were held in **November and December 2018.**

Project	Current Zoning	Zone Change Required? Y/N	Issues discussed	Location
104 Whispering Pines Ave. Medical Offices and retail center	SFR	Yes – DD	Preliminary and final plats required – 20ft ROW required to be dedicated on Whispering Pines Ave.; DD fees waived for for-profit businesses; site plan approval required; if zoning is changed to DD, property will be subject to DD zoning regulations such as building fenestration, landscaping,etc.; water and sewer services are available; eligible to purchase regional detention; no hazardous flood zones	

E. Heritage and 209 S. Friendswood Dr. Remodel and expansion of First Baptist Church	DD and SFR/SUP	Yes – SUP	Preliminary and final plats required – abandon stub out street; site plan approval required with SUP; subject to DD zoning regulations; water and sewer services are available; on-site detention required (may petition GCCDD for regional detention); no hazardous flood zones; TxDOT permits and approvals required for any work within ROW of FM 518; compliance with fire codes required	
14100 Beamer Rd. (near Dixie Farm Rd and Beamer Rd.) Paintball Field	Industrial	No	Short form final plat required; site plan approval required; no water or sewer service available – apply to subsidence district for water well; septic system for sewer); on-site detention required; request to pay into sidewalk fund – open ditch road; hazardous flood zones exist on the property – AE, Shaded X, and Floodway; pipelines traverse the property – no habitable structures within 50 feet of the pipelines	
FM 518/FM 528 – Howard Subdivision Chipotle Restaurant	CSC	No	Replat required; site plan approval required; subject to Community Overlay District requirements; water and sewer services are available; grease trap required; detention provided; no hazardous flood zones; occupant load of 100 or more requires fire sprinkler and alarm