

NOTICE OF A REGULAR MEETING OF THE CITY OF FRIENDSWOOD PLANNING AND ZONING COMMISSION, TO BE HELD THURSDAY, FEBRUARY 21, 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 February 4, 2019, regular meeting

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 a [one-time, six-month extension of Sterling Creek Section 3B Preliminary Plat](#)
5. Consideration and possible action regarding proposed amendments to [Appendix C Zoning Ordinance Section 15. Amendments to change from joint public hearings to separate public hearings and to amend ordinance wording to be consistent with state law](#)
6. Consideration and possible action regarding proposed amendments to [Resolution 2010-09 Planning and Zoning Rules of Procedure to change Planning and Zoning Commission meeting days](#)
7. Consideration and possible action regarding proposed amendments to [Appendix C Zoning Ordinance "Section 7 Schedule of District Regulations" and "Section 8 Supplementary District Regulations" regarding proposed amendments and relocating language as it pertains to the Downtown District \(DD\) zoning regulations and amendments to Appendix A Sign Ordinance "Section 9 Prohibited Signs" to prohibit LED storefront lights](#)
8. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

Monday, March 4, 2019

Thursday, March 21, 2019

9. 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

10. 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 15th day of February, 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.

Sterling Creek Section 3B Preliminary Plat Extension Request

A one-time, six-month preliminary plat extension can be considered upon written request of the owner and approval by the Planning and Zoning Commission.

1. [Letter from owner](#)



HH Development, LLC

January 18, 2019

Aubrey,

Per the request from the City of Friendswood we are requesting an extension on the Preliminary Plat of Section 3B in Sterling Creek, Friendswood Texas. The reason for this delay is purely pour weather conditions. We are actively working on the project as the conditions permit. We expect to have completion in March 2019. Please let me know if any more information is required.

Sincerely,


John Adam Hill,

Partner

Hill Hubbard Development

Agent

Yellowstone Hill Country Ranching, LLC



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 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.

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 23 days.
- Requires staff and applicants to return on another meeting day.

RECOMMENDATIONS

The Planning and Zoning Commissioners have discussed the options and feel that in the interest of providing a more consistent process for applicants and residents, the pros of having separate public hearings outweigh the cons.

There was an additional suggestion to change P&Z's 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.

ATTACHMENTS

[Zoning Ordinance Section 15 Redline](#)

[Zoning Ordinance Section 15 Clean Version](#)

[Chapter 70 Redline](#)

[Chapter 70 Clean Version](#)

Zoning Ordinance

Section 15. - Amendments.

- A. *Authority.* The Ceity Ceouncil 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 Zzoning Ceommission.* Before taking action on any proposed amendment, supplement or change by ordinance of a district boundary or regulation, the Ceity Ceouncil shall submit the proposed revision to the Pplanning and Zzoning Ceommission for its recommendation and report. The Pplanning and Zzoning Ceommission 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 p~~Planning and Zzoning Ceommission 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. City Council may not hold a public hearing until it receives the final report of the Planning and Zoning Commission. 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.
- 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 before the~~ not less than before the ~~10th~~ 10th days ~~prior to the before the~~ prior to the ~~hearing 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 before the~~ at least before the ~~15th~~ 15th 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 Ceity Ceouncil. In computing the percentage of land area, the area of streets and alleys shall be included.

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 Planning and Zoning Commission and City Council shall hold public hearings at which any person desiring to be heard regarding such matter shall be given an opportunity to do so. City Council may not hold a public hearing until it receives the final report of the Planning and Zoning Commission.
- D. *Notice of joint hearings.*
 - 1. Notice of any 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 before the tenth day before the hearing date.
 - 2. Notice of all public hearings shall also be published in the official newspaper of the city, or a newspaper having general circulation in the city, before the 15th day before the public hearing.
 - 3. In addition, notice of any 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 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 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.

Code of Ordinances

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

(a) The ~~Ceity~~ ~~Ce~~ouncil ~~may~~will consider~~provide a request to for the~~ vacate~~ion~~, abandon~~ment~~ or relocate~~one~~ of an existing road/street right-of-way, or any drainage, utility or other public easement, upon ~~receiptsatisfaction~~ of the following ~~itemseconditions~~:

- (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 ~~Ce~~ommunity ~~D~~evelopment ~~D~~epartment, 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 Ceity 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.~~

Code of Ordinances

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

(a) The City Council may consider a request to vacate, abandon or relocate an existing road/street right-of-way, or any drainage, utility or other public easement, upon receipt of the following items:

- (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.
- (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, City staff shall schedule public hearings and provide notice in accordance with Appendix C Zoning Ordinance. At the public hearing, any person desiring to be heard regarding such a matter will be given an opportunity to do so.

(c) If a 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 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.



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Subject: Planning and Zoning Commission Meeting Days

Current Ordinance/Requirement:

Resolution 2010-09

SUMMARY / ORIGINATING CAUSE

In conjunction with changing from joint public hearings to separate public hearings, there was also a suggestion to change Planning and Zoning Commission meeting days to reduce the lag time between the Commission's meetings and City Council meetings. Changing the meeting days from the first and third Thursdays to the second and fourth Thursdays would reduce the processing time for applicants by one week.

IMMINENT CONSEQUENCES / BENEFIT TO COMMUNITY

Changing P&Z's meeting days from the first and third Thursday to the second and fourth Thursdays reduces the dead time between P&Z and Council meetings by one week, thus reducing the processing time for applicants.

RECOMMENDATIONS

The Planning and Zoning Commissioners have discussed the options of changing to separate public hearings rather than the current required joint public hearings and feel that in the interest of providing a more consistent process for applicants and residents, the pros of having separate public hearings outweigh the cons.

The an additional suggestion to change P&Z's meeting days from the 1st and 3rd Thursdays to the 2nd and 4th Thursdays is being considered by the Commissioners.

ATTACHMENTS

[Redlined Resolution](#)

RESOLUTION NO. R2019-XX

**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~~~~second~~ and ~~third~~~~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 ____ day of _____, 2019.

Joe Matranga, Chairman
Planning & Zoning Commission

ATTEST:

Aubrey Harbin, Director of Community Development/Planner
Planning & Zoning Commission



FRIENDSWOOD PLANNING & ZONING COMMISSION AGENDA ITEM FORM

Subject: Downtown District Supplemental Regulations

Current Ordinance/Requirement:

Zoning Ordinance

- Section 7.I. Downtown District (zoning description)
- Section 7.P.6. Permitted Use Table
- Section 8.F.b. Downtown District Parking
- Section 8.N. Downtown District Supplemental Regulations

Design Criteria Manual

- Appendix E Downtown District Amenities

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 following topics to determine any proposed amendments:

- Boundary
- Distance requirement for head in/on-street parking
- Façade materials
- Fenestration requirements
- Community Overlay District (COD) items to also incorporate into Downtown District (DD)
- Permitted Uses
- Pedestrian lighting

The Downtown District Subcommittee investigated these topics in detail and submits the following recommendations to the Planning & Zoning Commission for further discussion and discovery.

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 recommendations of the Downtown District Subcommittee are as noted on the information provided.

ATTACHMENTS

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

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

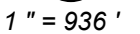
Community Overlay District (COD) vs. Downtown District (DD)	Aesthetic requirements are more stringent in the COD; review and determine which requirements, if any, should also be applicable to DD	Review requirements of the Community Overlay District (COD) and determine if those should also be incorporated 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:

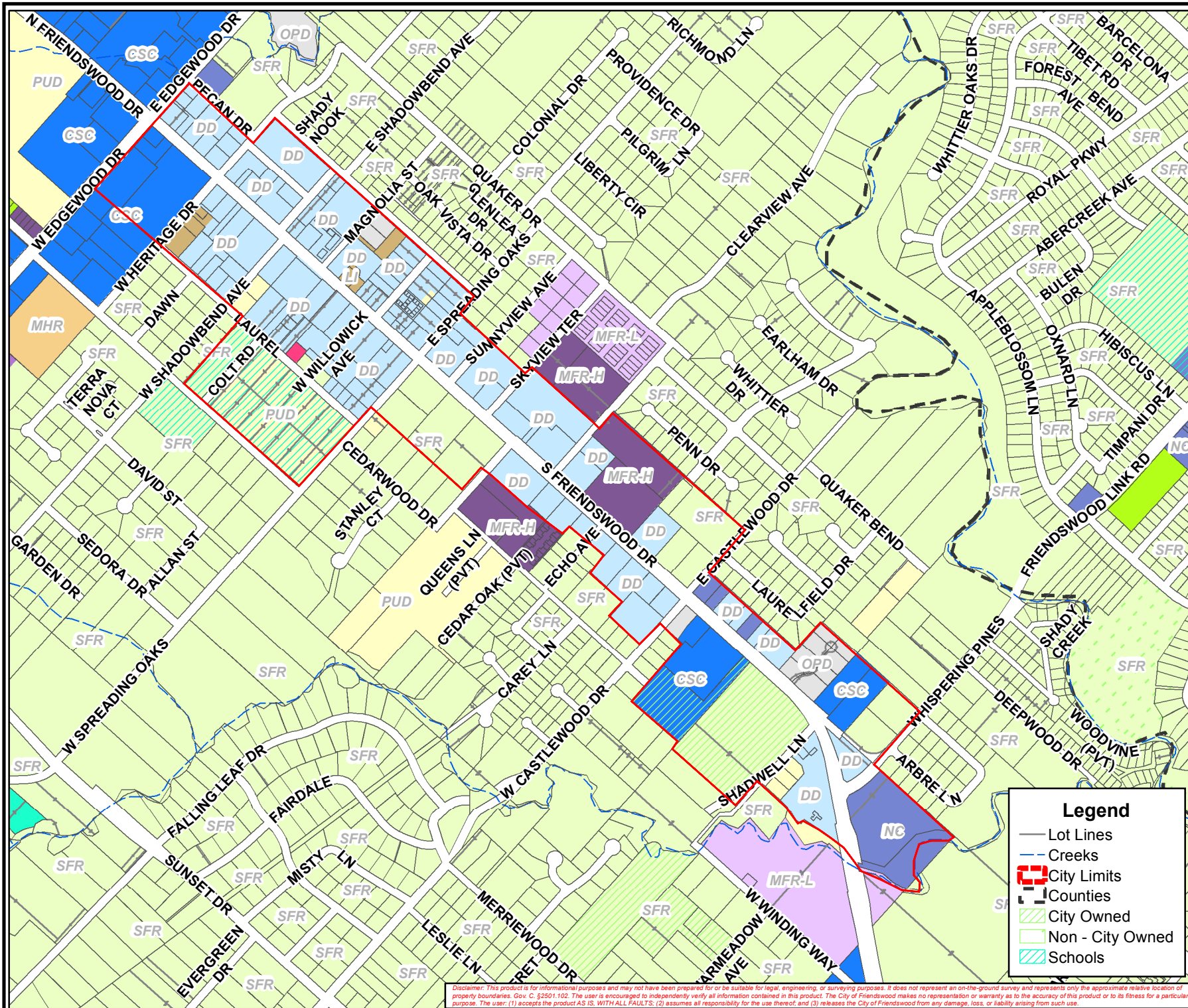
[Appendix C Zoning Ordinance](#)

[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.

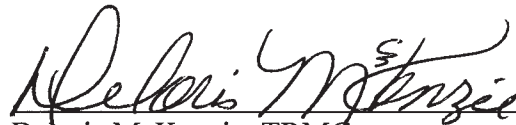
Section 4. That this resolution shall take effect from the date after its passage as the law in such case provides.

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

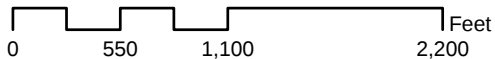
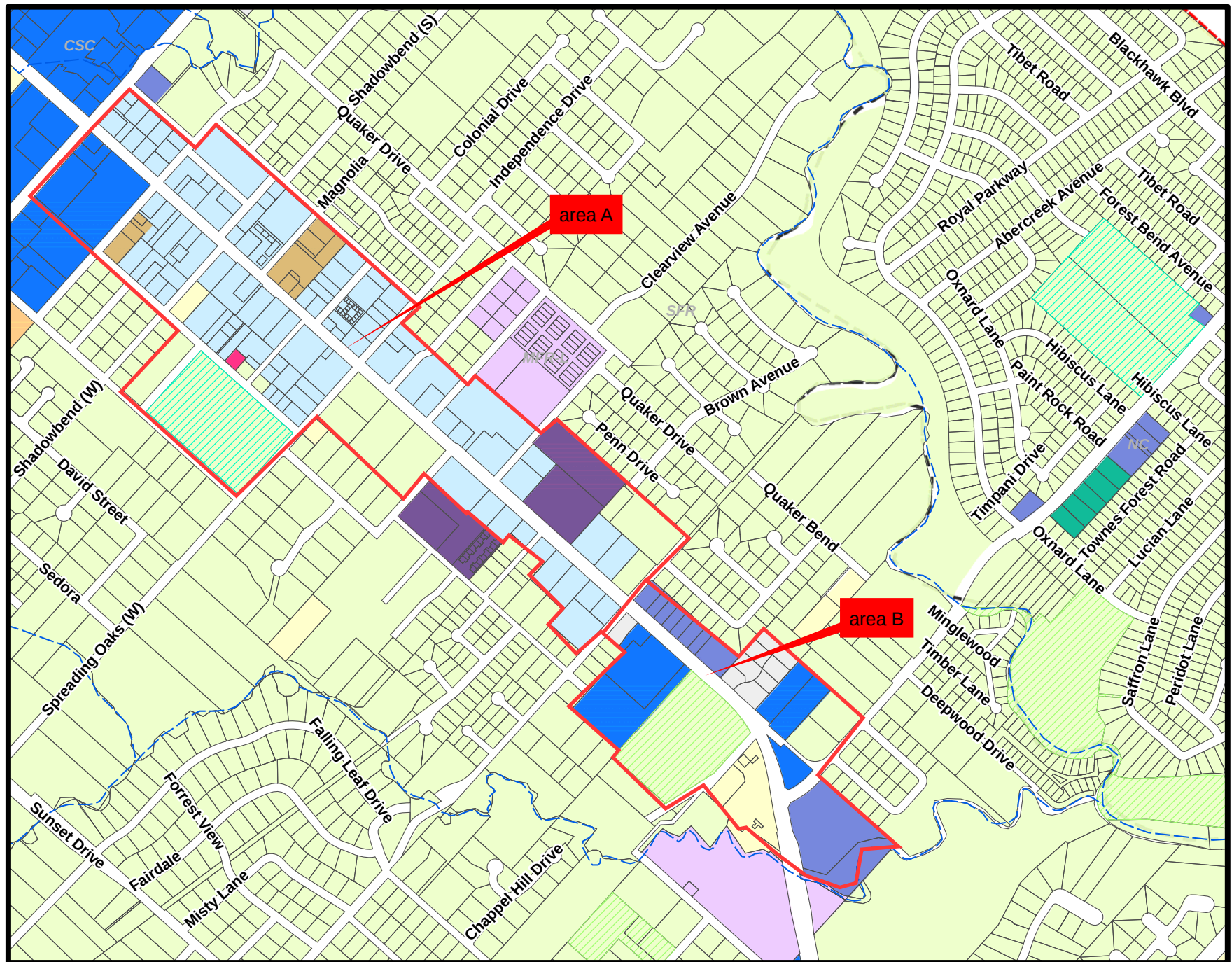
Schools

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

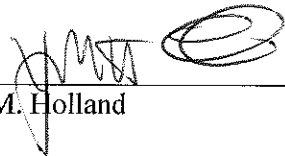
FOR	<u>1,274</u>	) THE ADOPTION OF A TYPE B LOCAL SALES AND USE
		) TAX IN THE CITY OF FRIENDSWOOD, TEXAS AT THE
AGAINST	<u>1,135</u>	) RATE OF ONE-EIGHTH (1/8) OF ONE PERCENT (1%) TO
		) UNDERTAKE PROJECTS AUTHORIZED UNDER
		) CHAPTER 505 OF THE LOCAL GOVERNMENT CODE,
		) TO PROMOTE NEW OR EXPANDED 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

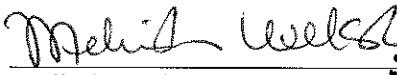
this Resolution, along with a map of the City, clearly showing the boundaries of the City and, upon its adoption, a certified copy of the Sales Tax Levy Ordinance, as required by Section 321.405 of the Texas Tax Code.

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

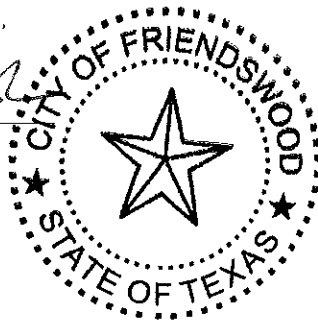


Kevin M. Holland
Mayor

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

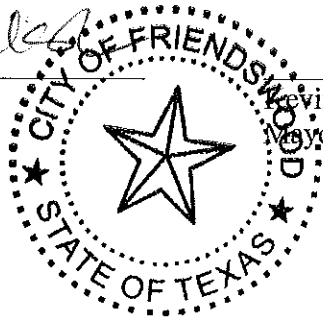
2. That a true, full and correct copy of the aforesaid Resolution passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Resolution has been duly recorded in the Council's minutes of the Meeting; that the above and foregoing paragraph 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

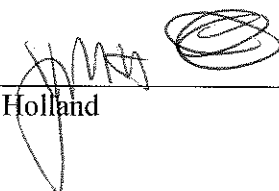
Council as indicated therein; that each of the officers and members of the Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, 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.

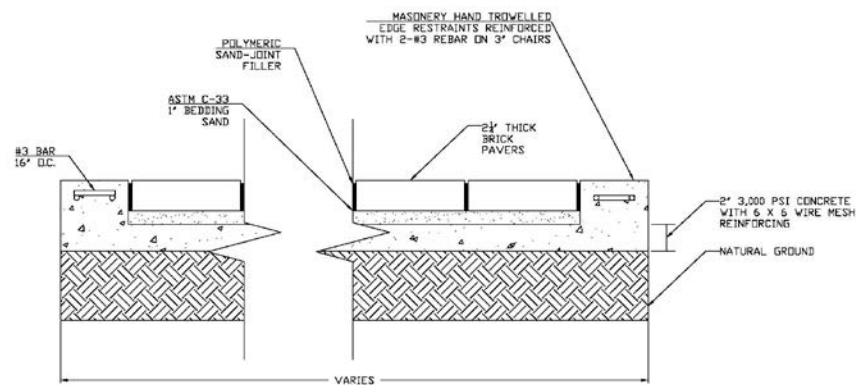
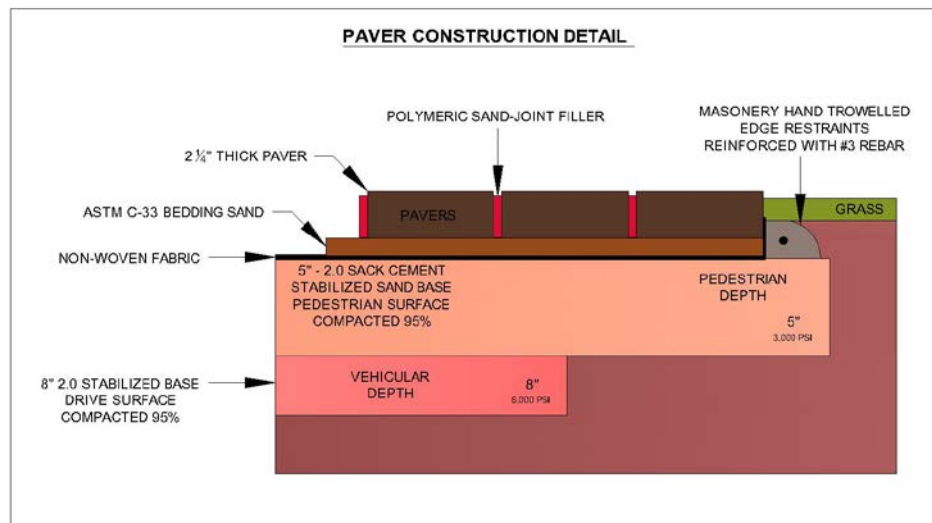
	Manufacturer:	Pine Hall Brick Company, Inc.
	Product:	Pavers
	Model:	Pathway Series, Full Range
	Size:	4" W x 8" L x 2 1/4" thick
	Color:	Red
	Pattern:	Stretcher Bond

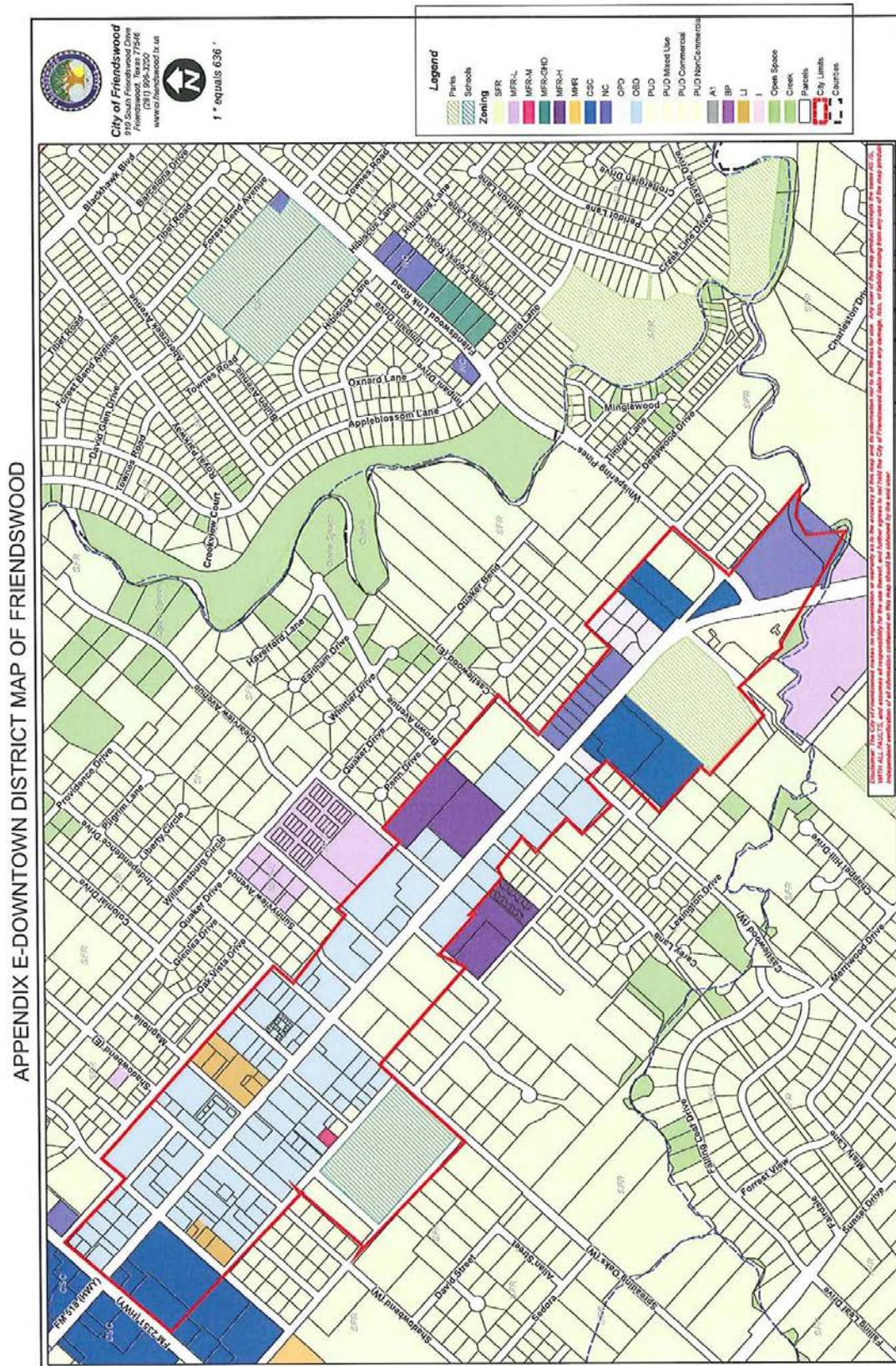
Brick pavers must be set on a sand base with a concrete border as stated below and shown on the attached construction detail drawing. No concrete or stamped concrete is allowed for the sidewalk surface.

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	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																		
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	Public Administration																		
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.